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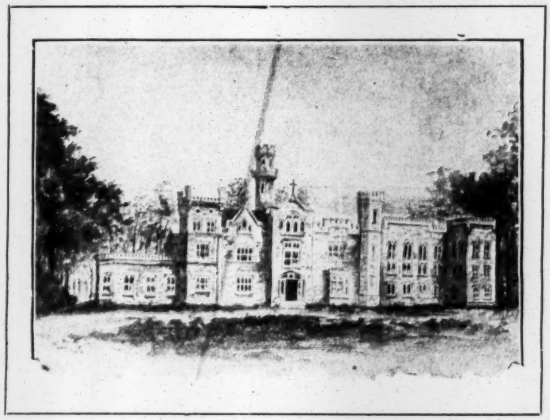

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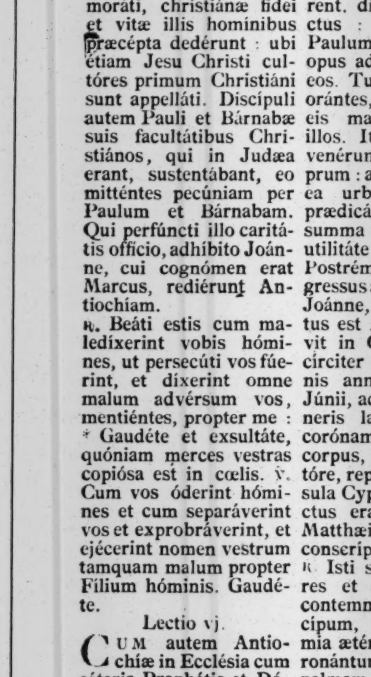

454 Die xj. Junii. S. Barnabæ

Paulum, cum eo Antiochíam venit. In ejus urbis Ecclésia annum commoráti, christiánæ fidei et vitæ illis homínibus præcépta dedérunt : ubi étiam Jesu Christi cultóres primum Christiáni sunt appellâti. Discípuli autem Pauli et Bárnabæ suis facultátibus Christiános, qui in Judæa erant, sustentábant, eo mitténtes pecúniam per Paulum et Bárnabam. Qui perfúncti illo caritátis officio, adhíbito Joánne, cui cognómen erat Marcus, rediérunt Antiochíam.

℟. Beáti estis cum maledíxerint vobis hómines, ut persecúti vos fúerint, et dixerint omne malum advérsum vos, mentiéntes, propter me : * Gaudéte et exsultáte, quóniam merces vestras copiósa est in cœlis. ℣. Cum vos óderint hómines et cum separáverint vos et exprobráverint, et ejécerint nomen vestrum tamquam malum propter Fílium hóminis. Gaudéte.

Lectio vj.

CUM autem Antiochíæ in Ecclésia cum céteris Prophétis et Dóctóribus, Paulus et Bárnabas in jejúnio et oratióne Dómino deservírent, dixit Spíritus sanctus : Segregáte mihi Paulum et Bárnabam in opus ad quod assúmpsi eos. Tunc jejunántes, et oránte, imponentésque eis manus, dimisérunt illos. Itaque Seleuciam venérunt, inde in Cyprum : ac multas prætérea urbes regionésque, prædicántes Evangélium summa cum audiéntium utilitáte, peragrárunt. Postrémo Bárnabas digressus a Paulo, una cum Joánne, qui cognomináthus est Marcus, navigávit in Cyprum : ibíque circiter séptimum Nerónis annum, tértio Idus Júnii, ad Apostólici múneris laudem martyrii corónam adjúnxit. Ejus corpus, Zenóne Imperatóre, repértum est in ínsula Cypro, ad cujus pectus erant Evangélium Matthæi, Bárnabæ manu conscríptum.

℟. Isti sunt triumphatóres et amíci Dei, qui contemnéntes jussa príncipum, meruérunt præmia ætérna, * Modo coronántur et accípiunt palmam. ℣. Isti sunt qui

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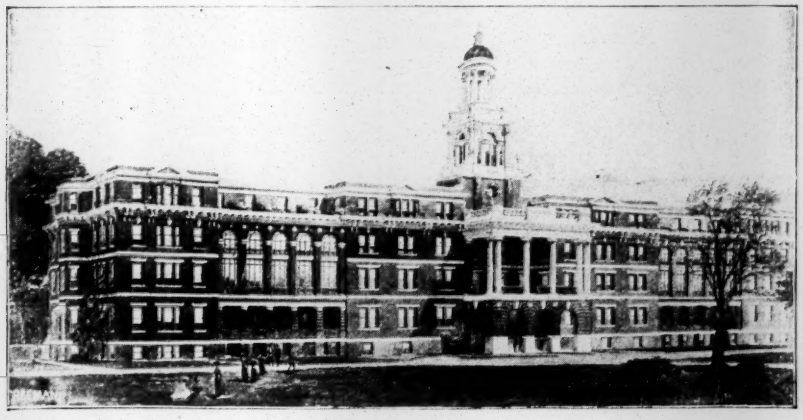

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THE ECCLESIASTICAL REVIEW.

THIRD SERIES—VOL. VIII.—(XXVII).—JANUARY, 1903.—NO. 1.

THE APOSTOLIC AUTHORSHIP OF THE SYMBOL.

ANCIENT tradition ascribes the authorship of the primitive Creed of the Church to the Apostles. Ever since the fifteenth century this tradition has been the object of much criticism at the hands mainly of men not of the household of the faith. To-day it is freely called in question even by Catholic scholars, among whom may be mentioned the Benedictine Baumer in Germany, the Benedictine Dom Morin in France, and the Barnabite Giovanni Semeria in Italy. The last-named, in a work fresh from the hands of the printer,[1] regards the received account of the origin of the Creed as legendary. He sets the old tradition aside, as not of a nature to win our belief on the score either of its antiquity or its universality, and follows Harnack in fixing upon the middle of the second century as the probable date on which our most ancient Symbol of Faith was formulated.

I propose, first, to review briefly the explicit testimony that we have as to the apostolic authorship of the Creed; next, to point out how the Discipline of the Secret was rigidly enforced and religiously observed in regard to the Creed; and, lastly, to consider the bearing of this fact on the question of its authorship.

I.

Between the latter half of the fourth century and the middle of the fifth, several writers of exceptional standing, in respect of their learning and their critical acumen, explicitly and categoric-

[1] Dogma, *Gerarchia e Culto nella Chiesa primitiva*. Roma: F. Pustet. 1902.

ally affirm the Creed to be of Apostolic origin. Chief among these are St. Ambrose, St. Jerome, the Presbyter Rufinus, and St. Leo the Great. The last-named calls the Creed the "Catholic and Apostolic Symbol,"[2] speaks of it as the Rule of Faith "which has come down to us with the authority of apostolic institution,"[3] and puts those who "contradict the Symbol instituted by the holy Apostles" in the same category with men who deny the doctrine of the Incarnation.[4] The testimony of St. Ambrose is contained in these words: "Let the Symbol of the Apostles be believed, which the Roman Church ever has in its keeping and preserves inviolate."[5] St. Jerome bears witness that "the Symbol of our Faith and Hope, which has been handed down to us from the Apostles, is not written with ink on paper, but graved on the fleshly tablets of the heart."[6]

The testimony of Rufinus, who writes towards the close of the fourth century, is, though no whit clearer or more categorical, fuller and much more specific. The others make but a passing allusion to the Symbol; Rufinus has a whole treatise upon it.[7] At the outset of his commentary (for such it is) on the Creed, he deals with its origin. He tells us how the faithful in his day held it as a tradition handed down from their forefathers in the faith, that the Apostles, after the descent of the Holy Ghost upon them, and before they dispersed to preach the Gospel throughout the world, being gathered together, composed the Symbol to serve as the norm of their teaching in the after time; how they collaborated in drawing up this brief outline (*indicium*) or index of the truths they were about to preach, and agreed to deliver it to believers as their rule or standard; also, how they gave it the name of Symbol, a name, observes our author, which signifies at once a putting together or collaborating and a distinctive mark or badge, whereby the preachers of the true faith, as well as true believers, may be known. He adds the significant words: "Therefore they delivered these [truths embodied in the Symbol], not to be written on paper or parchment, but to be retained in the hearts of believers, so that it might be certain that nobody had learned them

[2] Serm. 24, c. 6.
[3] Serm. 62, c. 2.
[4] Serm. 96, c. 1.
[5] Apud Migne, tom. 16, col. 1125.
[6] *Ib.*, tom. 23, col. 380.
[7] *Comment. in Symbol. Apost.* (Apud Migne, tom. 21.).

from writings, which are known at times to fall into the hands of unbelievers, but from the tradition of the Apostles."

According to Rufinus the Apostles not only composed the Creed but gave it the name of Symbol, which it still bears. Harnack has not been able to discover any trace of the term symbol as a designation of the Creed in the writings of the first two centuries. It would seem to have been for the first time employed in this sense by St. Cyprian. But this should not be held to weaken the force of the testimony of Rufinus to the fact, or rather the tradition, of the Apostolic authorship, which is, after all, the only matter of importance. The learned presbyter of Aquileia cannot be supposed to mean that the Apostles used the very word *Symbolum* itself (from the Greek συμβολον), but rather the equivalent for that word in their own language; the more so that, as he expressly tells us, they did not deliver the Creed in writing, but by word of mouth. In any case, it is far from clear that he is citing the circumstances of the name as part of the old tradition. Nor is there anything in the text or context of the passage to warrant Father Semeria in imputing to Rufinus the statement that the Creed was composed by the Apostles on the very day of Pentecost.[8] On the contrary, his *Decessuri igitur* implies it to have been the mind of Rufinus that the Creed was not drawn up by the Apostles till the eve of their dispersion.

In the beginning of his exposition of the Symbol, Rufinus notes the fact that the text is not exactly the same in all the Churches. Thus, the Eastern Churches profess belief in "One God the Father Almighty." In the Creed of the Roman Church, as in that of Aquileia, the word "one" is wanting. Nor does the Old Roman Creed contain the addition, "maker of heaven and earth," found, with variations, in the Creeds of the Eastern Churches. Again, the words "He descended into hell," found in the Creed of Aquileia, are wanting in the Roman as well as in the Eastern Creed. Rufinus, however, observes that the truth expressed in these words is implied in the words "was buried," that precede; for as the body went down into the grave so the soul went down into the place where the souls of the faithful departed awaited the coming of the Redeemer. Belief in "the communion

[8] *Op. cit.*, p. 321.

of Saints" is not expressed in any of the earlier forms, even in that which St. Augustine expounds in his homilies.[9] But this, too, is implied in the preceding article, "the holy Church." Finally, the words, "life everlasting," with which the Creed now closes, though found in some at least of the Eastern formularies, are only implied in the words, "resurrection of the flesh," which invariably form the conclusion of the Western Creed up to and including the time of St. Augustine.

The foregoing, with some other slight differences in the wording, constitute the variations in the formula of the Apostolic Faith which served as the Baptismal Creed in the Church of the fourth and fifth centuries. Variations, as they are, apparent rather than real, in the words, but not in the underlying ideas, they do but witness to the unity of the primitive and archetypal form of the Christian Confession of Faith. But where, if anywhere, was this archetypal form preserved? Rufinus testifies that in "divers Churches" words were added to the Creed originally delivered to the faithful. He agrees with St. Ambrose in affirming that the Roman Church ever kept the Symbol of the Apostles inviolate. "And this," he adds, "I believe to be owing to the fact than no heresy every had its origin there." For additions were made elsewhere, as he proceeds to point out—not indeed from without but from within, not by way of putting forward a new truth, but by way of bringing into clearer light the old—to meet the rising heresies.[10]

At the close of the fourth century, therefore, and the beginning of the fifth, the Creed delivered to the class of catechumens known as *competentes* was the self-same, in substance and meaning, throughout the whole Christian world. And of this Creed Rufinus and Jerome and Ambrose and Leo the Great declare the Apostles to have been the authors, or at any rate declare this to have been the received tradition in their day. Whatever is to be thought of this tradition, one thing is clear, and ought to be kept

[9] *In traditione Symboli*, Serm. 212, 213, 214.

[10] It is interesting to note that Dr. Kattenbusch, in the second volume of his monumental work on the Symbol of the Apostles, published two years ago, traces all Eastern Creeds of the fourth century to one archetype in the Old Roman Creed, though he does so only as a working hypothesis. See the *Church Quarterly Review* for October, pp. 216–221.

clearly in view by anyone who really wishes to reach the truth in this matter: the tradition in question stands upon an altogether different footing, and should be kept quite separate from the legend which, in the after time, grew out of it, or rather was woven around it, to the effect that each of the Apostles contributed a distinct article to the Creed, Peter contributing the first and Mathias the twelfth and last. This incongruous appendage to the old tradition is first met with in a sermon long believed to have been written by St. Augustine, but now known to be the work of some anonymous scribe at a later date. Its legendary character is sufficiently attested by its spurious origin. It is true that St. Leo the Great, in his epistle to Pulcheria (c. 4), speaks of the Symbol as being *duodecim apostolorum totidem signata sententiis*, but this should not be taken to mean more than it says, to wit, that the Creed is stamped with the seal of Apostolic authorship by the fact of its containing as many articles as there were members of the Apostolic College from the beginning. As a matter of fact, the words *vitam aeternam*, which constitute the article ascribed to Mathias by the author of the sermon above referred to, were not part of the Creed known to St. Augustine.

The legend has been relegated, and with reason, to the limbo of vain things fondly invented. But what of the tradition? Must it, too, go the same way? That it must appears to be the verdict of what many look upon to-day as the court of last resort in all questions of this kind—the school of historical criticism. Before accepting the verdict as final, it will be well to inquire whether the method by which it has been reached is such as would be likely, in this instance, to lead those who employ it into the truth. We have to consider whether the Symbol of Faith known as the Apostles' Creed came under the Discipline of the Secret, and whether, if it did come under the Discipline of the Secret, this does not effectually bar all movement looking to the discovery of its authorship along the path trodden by historical criticism.

II.

One need but glance into the works of the early Christian writers to see how strictly the Discipline of the Secret was enforced in the first centuries. Our Lord had forbidden His dis-

ciples to cast their pearls before swine (Matt. 7 : 6). St. Paul would have "the wisdom of God, a wisdom which is hidden," spoken "in a mystery" and only "among the perfect"[11]—the *competentes* of a later day. It was only after persecution ceased and the old pagan Empire of the Romans was converted and baptized in the person of Constantine, that the *disciplina arcani* was gradually relaxed. That it extended to the Symbol, and held it fast even in the days of St. Augustine, is a fact that can be established on unimpeachable testimony. We have, first of all, the witness of Augustine himself. Over and over again he repeats in his homilies that the Symbol is not given in writing. "Nobody," he says, "writes the Symbol that it may be read."[12] When delivering it to the catechumens a week or two before their baptism, he warns them: "In no wise are you to write down the words of the Symbol in order to commit them to memory. You are to learn them by ear (*audiendo*); and even after you have learned them, you are not to write them, but to retain them in memory and ponder over them." He goes on to say that everything which they are about to hear in the Symbol is contained in Scripture, but that, as gathered together and reduced to a certain formula, it is not lawful to write it (*non licet scribi*). This he conceives to have been foreshadowed in those words of the Old Testament: "This is the covenant that I will make with them after those days, said the Lord; I will give my law in their bowels, and in their hearts will I write it." "In token of this," he adds, "the Symbol is learned by ear; nor is it written on tablets, or any kind of material, but on the heart."[13] In the next homily but one,[14] when he comes to the point where the delivery (*traditio*) of the Symbol took place, he says: "These are the words that you

[11] 1 Cor. 2 : 6, 7.

[12] *De Symb. ad Catech.* (Apud Migne, tom. 6, col. 627.) Migne decides in favor of the genuineness of this homily on intrinsic grounds. But in homilies on the Creed, which are unquestionably St. Augustine's, the "resurrection of the flesh" is the last article; in this one, on the other hand, the words "in vitam aeternam" are cited as part of the Creed. This would seem to cast a doubt on its genuineness. Neither in the homilies certainly genuine, nor in his *De Fide et Symbolo*, nor in his *Enchiridion de Fide*, etc., does St. Augustine cite as part of the Symbol the words in question.

[13] *In traditione Symb.*, Ib. tom., col. 1060.

[14] *Ib.*, col. 1066.

are faithfully to learn by heart and recite from memory,"[15] that is, on the day set for their baptism. The Saint adds, within brackets, the following words, which he set down when he first put the sermon in writing: ("After this preface the whole Symbol is to be given out, no word of comment being interspersed therewith. *I believe in God the Father Almighty*, and the other words that follow. It is not the custom, as you know, to put the Symbol in writing; which being said, the following discourse is to be added.") Whence it appears that St. Augustine scrupled to write the words of the Creed even in the manuscript of his own sermons. All this tallies with the testimony of St. Jerome, already quoted, that the Symbol of Faith, "handed down from the Apostles, is not written with ink on paper, but engraved on the fleshly tablets of the heart;" and with the words of Rufinus, also cited above, that the truths contained in the Creed formulated by those whom Christ first sent to teach and baptize all nations were not delivered to men to be written on paper or parchment, but to be preserved in the hearts of believers, so that it might be known for certain that "no one had learned them from books, which at times fall into the hands of unbelievers, but from the tradition of the Apostles."

We will now turn to the Eastern Church. Our first witness shall be St. Cyril of Jerusalem, who became Bishop of that ancient See about the middle of the fourth century. His testimony is so explicit, and so much to the purpose, that it must be

[15] To know the Symbol by heart was to the early Christians a matter of life and death. In a letter "to the aged Alypius" (Tom. 2, col. 1012) St. Augustine relates how a pagan of the name of Dioscorus had a dearly loved daughter whose life was despaired of, and how, upon his taking a vow to become a Christian, she was restored to health. Failing to keep his vow, he was struck blind. All at once he bethought that his blindness was a judgment of God upon him for having broken his vow. A second time he vows he will perform his first vow if he recovers his sight. This he does, and is duly baptized, but has not learned the Symbol by heart, alleging as excuse that he is not able. He is now struck with paralysis, which extends even to his tongue. Admonished in a dream that this has happened to him because of his not having recited the Symbol from memory, he makes a confession to this effect in writing, learns the Symbol by heart, and is freed at length from all his infirmities. Modern incredulity may smile at the childlike simplicity of him who tells this story. But the great Bishop of Hippo, were he still with us, could say, as Newman said under like circumstances: Hippoclides doesn't care.

given at length in his own words. He is addressing the class of *competentes* on the eve of their baptism:

"But take thou and hold, as a learner, and in profession, that faith only which is now delivered to thee by the Church, and is fenced round out of all Scripture. For since all cannot read the Scriptures, but some as being unlearned, others by business, are hindered from knowledge (of them), in order that the soul may not perish from want of instruction, we comprehend the whole doctrine of the faith in a few sentences. This I wish you to remember in the very phrase, and to rehearse it with all diligence amongst yourselves, not writing it on paper, but graving it by memory on your heart; being on your guard in your exercise, lest haply a catechumen should overhear the things delivered to you. This I wish you to have as a provision by the way during the whole period of life, and besides this never to receive any other."—*Catech.* v, n. 12.[16]

It is very plain from this that every precaution was taken lest the Symbol should be committed to writing, or become public property. It was withheld even from catechumens of the first and second grade.

St. Basil, a contemporary of St. Cyril, witnesses for the Church in Cappadocia. "Of the dogmas and teachings preserved in the Church," he writes, "we have some from the doctrine committed to writing, and some we have received, transmitted to us in a secret manner, from the tradition of the Apostles; both these have the same force in forming religion (*i. e.* piety); and no one will gainsay either of these, no one, that is, who has the least experience of the ecclesiastical laws."[17] Again: "Dogma is one thing, and preaching another; for the former is guarded in silence, while preachings are openly proclaimed."[18] That he means by "dogma" especially the Symbol appears from the words he uses a little further on. "The very confession of faith in Father, Son, and Holy Ghost," he asks, "from what written records have we it?"

In Clement of Alexandria we have a witness whose testimony dates over a century and a half further back than that of any writer hitherto cited, for he flourished in the latter half of the

[16] *Faith of Catholics*, vol. i, p. 51.
[17] *Op. cit.*, p. 418.
[18] *Ib.*, p. 421.

second century. His references to the Symbol are not so explicit as are those of the other writers; the Discipline of the Secret was even more rigorously enforced in his day; yet no one who reads his words can doubt that the Symbol is in his mind. He tells us how he was himself personally acquainted with men who "preserved the true tradition of the blessed doctrine, directly from Peter, and James, and John, and Paul, the holy Apostles, having received it in succession, the son from the father."[19] He calls it "the celebrated and venerable rule of tradition, commencing from the origin of the universe," which seems to point to the profession of faith in the "Creator of heaven and earth" contained in the first article of the Creed. He speaks of it as knowledge "which has come down, transmitted without writing to a few by successions from the Apostles," and distinguishes between it and the apostolic doctrine contained in Scripture, saying: "For as the doctrine, so also was the tradition of all the Apostles, one."

Now, this "blessed tradition," which was handed down orally from the Apostles, and which, being a tradition of "doctrine," must at the least have included the Symbol, whatever else it may have included, he affirms to have been guarded as a secret. He conceives it to be "the delineation of a soul that loves, to guard the blessed traditions so that it may not escape." He says that, "Secret things, like God, are entrusted, not to writing but to oral teaching," with much more to the same purpose.

Let me make an end of citation with a longish passage from the *Stromata:*

"Some of these secret things I deliberately pass by, making a selection after reflection, being afraid to commit to writing things which we are upon our guard even to speak about; not from any envy, for that is not lawful, but from fear lest those who may meet with them, taking them in a wrong sense, might fall into error, and we should thus be found to be giving, as they say who use proverbs, a sword to a child , . . There are some things which my writing will obscurely indicate; and on some things it will dwell; others it will only name, and will attempt, while concealing, yet to declare, and though hiding to manifest, and though silent to point out; and it will lay before the readers the dogmas that have been taught by cele-

[19] *Op. cit.*, pp. 391–395.

brated heresies, and will oppose to them all that ought to be premised to the interior contemplation of knowledge, which will be proceeded in by us according to the celebrated and venerable rule of tradition, commencing from the origin of the universe . . ."—*Strom.*, I, i, pp. 321–325.

There has been now produced evidence enough and to spare that the Creed of the early Church was hedged about and jealously guarded by the Discipline of the Secret;[20] that the early Christian writers religiously refrained from reproducing it in their works, and even from putting it at all in writing. But consider how fraught with significance is this and how effectually it serves to discredit the method of historical criticism, so-called, as applied to the question of the authorship of the Creed. Your ingenious critic, with his vast apparatus of learning, with an industry and patience in research beyond all praise and worthy of all emulation, ransacks the writings of sub-apostolic and early times for the Symbol, and declares he can not find it. No marvel that he cannot find it: he seeks the living among the dead.[21] The Creed is in the heart and on the lips of the Church of the living God; he is looking for some fossil remains of the casket that enclosed it where it might conceivably be, but isn't; for, to cite once more the words of St. Jerome: "The Symbol of our Faith and Hope, handed down to us from the Apostles, is not written with ink on paper, but graved on the fleshly tablets of the heart." To the weary and sore-perplexed critic, peering into ancient tomes, grop-

[20] The Discipline of the Secret arose from several causes. In times of persecution the Christians were afraid to speak openly about their worship and doctrine, for fear that their doing so would expose them to further injury and interruption. They regarded truth, too, as a sacred deposit, and they shrank from communicating it to those who would misunderstand it or laugh it to scorn. It was not till after the sixth century that the need for the old reserve passed away. Cf. *A Catholic Dictionary*, art. "Discipline of the Secret."

[21] To the searcher for the Symbol among the literary remains of the early ages, we might almost say as the angels said to those who sought in the sepulchre for the Lord of the Symbol—*surrexit, non est hic.* For those in whose minds and hearts the Symbol came from the Apostles down to later generations have mounted to that "house of many mansions" where Faith is merged in Vision. "When we reach that place where we shall reign," says St. Augustine, in his fifty-eighth homily, "there will be no more need of our saying the Symbol; we shall see God; God Himself will be our Vision, and the vision of God will be the reward of this our Faith."

ing in the twilight of those early times, seeking in vain the source whence came the Symbol, the words of Augustine and Jerome and Rufinus, of Basil and Cyril and Clement, should have been as the legend on the sign-post to give timely warning of *No Thoroughfare*. But he heeded not the warning; he had no eyes for it; he would plod his way, groping ever, till at length he has fetched up in a blind alley. For this is just where its failure to find other than an anonymous author for the great Creed of Christendom has left historical criticism—in a cul-de-sac. But of this and other phases of the same subject more at another time.

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DE PARTICIPATIONE FACULTATUM APOSTOLICARUM.

QUANDO quidem non omnes facultates Apostolicae, Episcopo concessae, ab ipso Episcopo semper exerceri possunt, rectissime solent Doctores inquirere quonam modo ab aliis quoque facultates huiusmodi valeant executioni mandari.

Cumprimis quod illas spectat facultates, quas foliis impressis sive "formulis" per *S. Congregationem de Propaganda Fide* accipere solent Episcopi aliique locorum Ordinarii,[1] certum exploratumque erat, neminem, neque ipsum quidem Vicarium Generalem hisce potiri vel uti potuisse nisi quatenus per Episcopum cuique suum communicatum subdelegatumve fuisset.

Quae quidem communicatio vel subdelegatio cum frequentissimis esset obnoxia dubiis atque incommodis, S. Sedes Apostolica superiori hac tempestate Vicariis Generalibus viam aperuit stravitque planiorem et securiorem, qua facultatibus, ab Apostolica Sede Episcopis habitualiter concessis, ipsi quoque absque ulla Episcopi communicatione aut subdelegatione perfruerentur atque uterentur.

Immo hodie obtinet haec regula generalis, quam proponendum

[1] Episcopis Americanis a S. Sede concedi solent facultates (*a*), Ordinariae, scilicet quae uni cuique Episcopo ordinarie delegantur; (*b*), *extraordinariae*: atque illae quidem in Form. I, hae autem in Form. C. D. et E. Porro facultates Form. I, C. et D. ad *decennium*, Form. E, pro numero casuum conceduntur, cf. Jos. Putzer, Comm. in facult. apostol. ed. 3ia 1893, Neo-Eboraci, Benziger Fratres.

hisce suscepimus et ex ipsis S. Congregationis Supremae S. Officii decisis comprobandam veluti *novissimi iuris adagium:*

In facultatibus Apostolicis habitualibus quod valet Episcopus, id valet Vicarius Generalis, nisi ius divinum obstet.

Ac sedulo quidem praenotetur scripsisse die 20 Februarii 1888 Secretarium S. Officii ex mandato Sanctitatis Suae ad Ordinarios locorum:[2]

"1. Dispensationes matrimoniales omnes in posterum committendas esse vel *oratorum Ordinario* vel *Ordinario loci.*

"2. Appellatione Ordinarii venire Episcopos, Administratores seu Vicarios Apostolicos, Praelatos seu Praefectos habentes iurisdictionem cum territorio separato, eorumque Officiales[3] seu Vicarios in spiritualibus Generales, et sede vacante Vicarium Capitularem vel legitimum Administratorem."[4]

Quo praenotato, ecce decisa S. Officii, quibus thesis nostra probatur.

(a) *Feria IV, 24 Novembris 1897.*

"In Congregatione Gen. S. Rom. Univ. Inquis. habita ab E.mis ac R.mis DD. Card. in rebus fidei et morum Gen. Inquisitoribus, iidem E.mi Patres, rerum temporumque adiunctis mature perpensis, decernendum censuerunt: Supplicandum SS.mo ut declarare seu statuere dignetur, facultates omnes speciales[5], habitualiter[6] a S. Sede Episcopis aliorumque locorum Ordinariis concessas, non suspendi vel desinere ob eorum mortem vel a munere cessationem, sed ad successores Ordinarios transire ad formam et in terminis decreti a Sup. hac. Cong. editi die 20 Februarii 1888 quoad dispensationes matrimoniales.

[2] Nota *locorum:* caeteros enim Ordinarios, v. c. Superiores generales vel provinciales Regularium haec non spectant. Nihilo minus ex mox dicendis patebit Summum Pontificem decisa in casu nostro ad hos quoque Ordinarios postea benigne extendisse.

[3] *Officiales:* quod hoc loco idem est ac Vicarii in spiritualibus generales.

[4] Cf. *Acta S. Sedis*, tom. xx, p. 544.

[5] *Speciales:* nam *generales* per se transire planum erat.

[6] *Habitualiter:* videlicet quae sive ad revocationem sive pro tempore determinato sive pro certo casuum numero conceduntur: ita ut *hoc loco* sint exceptae illae tantum facultates, quae pro casu quopiam determinato committi saepe videmus *Ordinario* (uti omnes dispensationes matrimoniales): quare et hisce utitur Vicarius Generalis.

Insequenti vero feria VI die 26 Novembris 1897, in solita audientia R. P. D. Assessori S. O. impertita, facta de his omnibus SS.mo D. N. D. Leoni Div. Prov. PP. XIII relatione, Sanctitas Sua Emorum Patrum resolutionem approbavit, atque ita perpetuis futuris temporibus servandum mandavit, contrariis non obstantibus quibuscumque.[7]

J. CARD. MANCINI, *S. R. et U. Inq. Notarius.*

Unde amodo concedere facultates *durante munere*, id quod fieri solebat v. c. Vicariis Capitularibus, plane videbatur esse superfluum, atque adeo statuit idem S. Officium :

(b) *Feria IV, die 20 Aprilis 1898.*

Postquam per Decretum huius Supremae Sacrae Congregationis in Fer. IV die 24 Novembris 1897 declaratum fuit facultates omnes speciales habitualiter a S. Sede Episcopis aliisque locorum Ordinariis concessas non suspendi eorum morte vel cessatione a munere, sed ad successores Ordinarios extendi, ad formam Decreti S. Officii Fer. IV diei 20 Februarii 1888 pro dispensationibus matrimonialibus ; propositum fuit eidem huic S. Congregationi dubium, utrum expediat in posterum eliminare facultates *durante munere*, quae ut plurimum Vicariis Capitularibus conceduntur.

Porro in Congregatione Generali S. R. et U. Inquisitionis habita ab Em.is ac R.mis DD. Cardinalibus in rebus fidei et morum Inquisitoribus Generalibus, praefato dubio diligenter expenso, praehabitoque RR. DD. Consultorum voto, iidem E.mi ac R.mi Patres rescribendum mandarunt :

Clausulam durante munere *esse supprimendam et in ceteris standum formae Decreti iam lati die 20 Februarii 1888 num. 1 et 2, at iuxta modum idest :*

" 1°. Facultates omnes habituales in posterum committendas esse Ordinariis locorum."

" 2°. Appellatione *Ordinariorum* venire Episcopos, Administratores seu Vicarios Apostolicos, Praelatos seu Praefectos habentes iurisdictionem cum territorio separato, eorumque Officiales seu Vicarios in spiritualibus generales, et sede vacante Vicarium Capitularem vel legitimum Administratorem."

[7] Cf. *Acta S. Sedis*, tom. xxx, pag. 627.

Subsequenti vero Feria VI, die 22 eiusdem mensis Aprilis 1898, in solita audientia R.P.D. Assessori impertita, facta his omnibus SS.mo D. N. Leoni Div. Prov. PP. XIII relatione, SS.mus resolutionem E.morum Patrum approbavit, contrariis non obstantibus quibuscumque.[8]

J. CARD. MANCINI, *S. R. et U. T. Notarius.*

Quae quidem S. Officii ordinatio cum *futurum* tantum tempus respiceret (*in posterum committendas*) nullamque videretur exercere vim retroactivam, iure merito quaesitum est de tempore *praeterito*, ita:

(c) *Feria IV, die 23 Junii 1898.*

Suprema haec Congregatio in Fer. IV die 24 Nov. 1897[9] decrevit in facultatibus Episcopis *concedendis* clausulam *durante munere* esse supprimendam et in caeteris standum formae Decreti iam lati die 20 Februarii 1888 n. 1°, et 2°, at iuxta modum idest: "1°. Facultates omnes habituales in posterum committendas esse Ordinariis locorum; 2°. Appellatione *Ordinariorum* venire Episcopos, Administratores seu Vicarios Apostolicos, Praelatos, seu Praefectos habentes iurisdictionem cum territorio separato, eorumque Officiales seu Vicarios in spiritualibus generales, et sede vacante Vicarium Capitularem vel legitimum administratorem." Hinc propositum fuit eidem huic S. Congregationi dubium: *Utrum concessiones iam factae antecedenter Episcopis ab Apostolica Sede, intelligi debeant in sensu praefati Decreti.*

Porro in Congregatione Generali S.R.et U.Inquisitionis habita ab E.mis DD. Cardinalibus, in rebus fidei et morum Inquisitoribus Generalibus, praefato dubio diligenter expenso, praehabitoque RR. DD. Consultorum voto, iidem E.mi ac R.mi Patres rescribendum mandarunt:

Declaratio S. Officii, facta circa facultates concedendas, vi Decreti Fer. IV dei 24 Novembris 1897,[10] *extendatur ad facultates iam antecedenter concessas, facto verbo cum Sanctissimo.*

[8] Cf. *Acta S. Sedis*, tom. xxx, pag. 702.

[9] Sic reapse legitur in variis foliis periodicis, ut *Acta S. Sedis*, tom. xxxi, pag. 120; *il Monitore Ecclesiastico*, tom. x, 2, 101; *le Canoniste contemporain*, tom. 31, pag. 731. Sed est error manifestus, nam legi debuerat: Feria IV, die 20 Aprilis 1898; cf. supra: (b).

[10] Vide not. 9.

Subsequenti vero Sabbato die 25 [11] eiusdem mensis Junii 1898, in solita audientia R.P.D. Assessori impertita, facta de his omnibus, SS.mo D.no Nostro Leoni Div. Prov. PP. XIII relatione, SS.mus resolutionem Emorum Patrum approbavit contrariis non obstantibus quibuscumque.

J. CARD. MANCINI, *S.R. et U.I. Not.*

Tametsi quaestio de *delegandis* facultatibus ab Apostolica Sede concessis hoc loco non moveatur, ne tamen eam praeteriisse proindeque duo decreta mox alleganda perperam intellexisse videamur, in mentem duximus revocandum illud iuris canonici: *delegatus Papae potest subdelegare.*

Nam quatenus *Vicarius Generalis*, sicut Episcopus ipse, ex supra allatis S. Officii decisionibus facultatum Apostolicarum habitualium Ordinario concessarum *de iure particeps* est, eatenus de iure *delegatus* est *Papae* dicendus: unde *subdelegare potest* et ipse sed subdelegari iam non potest.

Sed quatenus Vicarius Generalis facultatum Apostolicarum *de iure particeps non est*, eatenus poterit, sicut alii presbyteri, ab Episcopo suo *subdelegari.* Hinc si quae, post Decreta hucusque allata, concessa sit facultas Apostolica *non Ordinario* (id quod voluit S. Sedes ex Decreto S. Officii diei 20 Aprilis 1898 supra allegato ordinarie in posterum fieri) *sed nominatim Episcopo*, Vicarius Generalis non de iure particeps esset, sed particeps fieri poterat per communicationem subdelegationemve Episcopi tantum. Id diserte supponebat ipsum S. Officium ita:

(d) *Feria IV, die 14 Decembris 1898.*

Huic Supremae S.R. et U. Inquisitioni propositum fuit enodandum sequens dubium:

"An possit Episcopus dioecesanus subdelegare, absque speciali concessione, suis Vicariis Generalibus, aut aliis Ecclesiasticis, generali modo, vel saltem pro casu particulari, facultates ab Apostolica Sede sibi ad tempus delegatas."

Porro in Congregatione Generali ab E.mis DD. Cardinalibus in rebus fidei et morum Inquisitoribus Generalibus habita, maturrime praedicto dubio expenso, praehabitoque RR.DD. Consultorum voto, iidem EE. ac RR. Patres respondendum mandarunt:

[11] Sic.

Affirmative, dummodo id in facultatibus non prohibeatur. neque subdelegandi ius pro aliquibus tantum coarctetur: in hoc enim casu servanda erit adamussim forma Rescripti.

Sequenti vero Feria VI die 16 eiusdem mensis et anni, in audientia a SS. D.N. Leone Div. Prov. PP. XIII R.P.D. Assessori impertita, SS.mus D.N. resolutionem EE. et RR. Patrum approbavit.[12]

J. Can. Mancini, *S.R. et U. Inquis. Notarius.*

(e) Cum insuper dubitatum fuerit, an quod praefatum Decretum statuit de *Episcopo dioecesano*, intelligendum etiam sit de Vicariis, Praefectis et Administratoribus Apostolicis iurisdictionem ordinariam cum territorio separato habentibus, SS. D.N. in audientia Feriae V, die 23 Martii 1899 referente R.P.D. Adsessore S.O., respondit: Affiirmative.[13]

Itaque quaerenti an Vicarius Generalis facultatum Apostolicarum *nominatim Episcopo* habitualiter concessarum *de iure particeps* existat, sedulo distinguendum: Si facultas in casu sit concessa *ante* d. 23 Junii 1898, *negative*, sed potest subdelegari.

Sed et hunc limitem vicariae potestatis idem S, Officium mox removit. Nam quaesitum et responsum est ita:

(f) *B.me Pater*, Vicarius Generalis N.N., ad pedes S.V. provolutus, humillime exponit: per Decretum d. 20 Aprilis 1898 S. Officium declaravit, facultates omnes habituales in posterum committendas esse Ordinariis locorum, et appellatione *Ordinariorun* venire Episcopos, Administratores seu Vicarios Apostolicos, Vicarios in spiritualibus generales, etc.

Porro Decreto d. 23 Iunii 1898 idem S. Officium edixit, declarationem suam, factam circa facultates *concedendas* vi Decreti diei 24 Novembris 1897[14] esse extendendam ad facultates iam *antecedenter concessas.*

[12] Cf. *Acta S. Sedis*, tom. xxxi, pag. 635. Concordat ius commune: c. si *prodebilitat*. c. *pastorali. de off. del.*; c. *cum causam de appell.*; Const. *Apostolicum minist.* 30 Maii 1753, ibi: "Vicarius Apostolicus, in hoc facultatum genere, specialis S. Sedis Delegati personam gerit, cui liberum est subdelegare nedum ex communi iure, verum etiam ex singulari auctoritate illi demandata." Multa namque conceduntur *ab homine* quae iam erant *a iure* concessa.

[13] Ex Arch. *S. Congregationis de Propaganda Fide.*

[14] *Cf.* supra annotat. 9., et *Acta S. Sedis*, tom. xxxii, pag. 225, ubi recte legitur d. 20 Aprilis 1898.

Jam vero quaeritur, an facultates *post* Decretum diei 20 Aprilis 1898 consessas vel concedendas, *non* quidem *Ordinario*, sed *nominatim Episcopo*, sint nihilominus intelligendae in sensu memorati Decreti.[15]

Feria IV, die 5 Septembris 1900.

In Congregatione Generali S.R. et U. Inquisitionis ab E.mis et R.mis DD. Cardinalibus Generalibus Inquisitoribus habita, exposito praedicto dubio, praehabitoque RR. DD. Consultorum voto, iidem EE. ac RR. Patres rescribendum mandarunt: *Affirmative.*

Ex deductis itaque, quod facultatum Apostolicarum habitualium participationem spectat—

Constat 1°. Vicario in spiritualibus generali hodie de *iure* competere quae antehac ex solo Episcopi sui communicatione vel subdelegatione accipere poterat: videlicet participationem et usum omnium facultatum Apostolicarum, Episcopo suo, sive sub nomine Ordinarii, sive sub nomine Episcopi N.N., sive sub nomine N.N. Episcopi, habitualiter concessarum vel concedendarum; nec refert utrum concessio sit ad tempus vel ad revocationem an vero pro certo numero casuum; nullaque proinde Vicario praefato opus esse communicatione aut subdelegatione ex parte Episcopi sui.

Constat 2°. Episcopum suo Vicario in spiritualibus generali haudquaquam posse adimere aut coarctare participationem usumve facultatum Apostolicarum habitualiter concessarum, *quamdiu ipse Vicarius generalis in suo munere permanserit.*

Constat 3°. Vicarium in spiritualibus generalem, quia est *delegatus Papae*, facultates supra memoratas tam modo generali quam pro casu particulari posse subdelegare: dummodo id in facultatibus, idest ab ipsa S. Sede, non prohibeatur neque subdelegandi ius pro aliquibus tantum coarctetur: in hoc enim casu servanda erit adamussim forma Rescripti. *Nota:* limitationem *nisi obstet ius divinum* adiectam esse, quia Vicarius generalis charactere episcopali non insignitus, *iure divino* in iis quae sunt ordinis episcopalis impos est.

[15] Ex sermone Italo: *Cf.* il *Monitore Ecclesiastico*, an. 25, pag. 292; Cf. *Acta S. Sedis*, tom. xxxiii, pag. 225.

Ut quaedam supra adnotata clarius patescant subiicimus textum dubii et responsi S. Officii:

(g) *B.me Pater*,—Decreto S. R. et U. Inquisitionis die 24 Novembris 1897 statuitur: "facultates omnes speciales, *habitualiter* a Sancta Sede Episcopis aliorumque locorum Ordinariis concessas, non suspendi vel desinere ob eorum mortem vel a munere cessationem, sed ad successores Ordinarios transire ad formam et in terminis decreti a Suprema hac Congregatione editi die 20 Februarii 1888 quoad dispensationes matrimoniales."

Verumtamen infrascriptus Vicarius Capitularis, sede vacante Diocceseos N. N., ad omne dubium tollendum pro suae conscientiae tranquillitate, ad Sanctitatis Vestrae pedes humiliter provolutus postulat ut declarare dignetur:

I. Utrum sub illis verbis *facultates omnes speciales* habitualiter *a Sancta Sede Episcopis aliorumque locorum Ordinariis concessas*, comprehendantur facultates omnes speciales a Sancta Sede Ordinariis concessae, quibus utuntur quoties voluerint, licet ad praefinitum tempus; cuiusmodi sunt facultates *de Poenitentiaria* dictae, reductionis missarum etc.

II. Utrum facultas benedicendi et delegandi ad sacra paramenta benedicenda, quae Episcopis fuerit concessa, transeat etiam ob eorum mortem vel a munere cessationem ad successorem Vicarium Capitularem, quamvis Episcopali dignitate non insignitum.

III. Utrum sub iisdem verbis *facultates omnes speciales* habitualiter *a Sancta Sede Episcopis . . . concessas* comprehendantur etiam facultates, quibus dumtaxat uti valent pro determinato casuum numero, ut sunt facultates dispensandi a sacrae ordinationis titulo pro definito ordinandorum numero.

IV. Et quatenus ad aliquid horum negative, quaenam sit interpretatio illius adverbii *habitualiter*. Et Deus, etc.

Feria IV, die 3 Maii 1899.

In Congregatione Generali ab E.mis et R.mis DD. Cardinalibus in rebus fidei et morum Inquisitoribus Generalibus habita, propositis suprascriptis dubiis, praehabitoque RR. DD. Consultorum voto, iidem EE, ac. RR. Patres respondendum mandarunt:

Ad I, II, et III Affirmative.

Ad IV Provisum in praecedentibus.

Sequenti vero feria VI, die 5 eiusdem mensis et anni, in audientia a SS. D. N. Leone Div. Prov. PP. XIII R.P.D. Assessori impertita, SS.mus D. N. resolutionem EE. et RR. Patrum approbavit. [16]

J. CARD. MANCINI, *S. R. et U. I. Notarius.*

Denique memoratu dignum videtur Decretum S. Officii diei 20 Decembris 1899, quo ordinatio Decreti diei 3 Maii 1899 (resp. d. 24 Novembris 1897) ad Superiores Generales Ordinum Religiosorum extensa est ita:

(h) *B.me Pater*,—Superior Generalis Ordinis N. N. ad pedes S. V. provolutus humiliter postulat ut declarare dignetur:

Utrum resolutio S. R. et U. Inquisitionis diei 3 Maii 1899 a S. V. approbata die 5 eiusdem mensis et anni, qua declaratum fuit omnes facultates speciales a Sancta Sede habitualiter concessas Episcopis aliorumque locorum Ordinariis, licet ad praefinitum tempus, ob eorum mortem vel a munere cessationem ad successores transire, se extendat ad omnes Superiores. Et Deus, etc.

Feria IV, die 20 Decembris 1899.

In Congregatione Generali S. R. et U. Inquisitionis coram E.mis ac R.mis DD. Cardinalibus in rebus fidei et morum Inquisitoribus Generalibus habita, proposito supradicto dubio, praehabitoque RR. DD. Consultorum voto, iidem EE. ac RR. Patres respondendum decreverunt:

Supplicandum Santissimo pro extensione decreti fer. IV. Maii 1899, ad Superiores Generales Ordinum Religiosorum.

Sequenti vero fer. VI, die 22 eiusdem mensis et anni, per facultates E.mo ac R.mo D.no Cardinali S. Officii Secretario tributas, SS.mus D. N. Leo Div. Prov. PP. XIII resolutionem E.morum ac R.morum Patrum approbavit, ac extensionem praedictam benigne concessit. [17]

J. CARD. MANCINI, *S. R. et U. Inquisit. Notarius.*

[16] Cf. *Acta S. Sedis*, tom. xxxii, pag. 60.

[17] Cf. *Acta S. Sedis*, tom. xxxii, p. 503.

Ex hactenus digestis alios quoque effectus iuridicos prono alveo profluere nemo est qui non videat. Id unum heic memorasse iuvabit quippe quod nuper ex eodem fonte authentico manavit—ecce:

(i) *B.mc. Pater,*—In casibus urgentioribus . . . (Decr. S. Officii d. 20 Junii 1886[18]) dari potest absolutio a reservatis S. Sedi, sub poena tamen reincidentiae nisi absolutus infra mensem ad Sanctam Sedem recurrat, eius mandata suscepturus.

Ubi tamen Episcopi facultatem habent delegatam absolvendi a praedictis reservatis, qualis solet ipsis concedi per quinquennale folium S. Congr. de Propaganda Fide (F. X.)[19] sub n. 10, dubitatur de necessitate recursus immediati ad S. Sedem.

Quaerit igitur Episcopus N. N. ad pedes Sanctitatis Vestrae humiliter provolutus:

I.—Utrum sufficiat, in casu absolutionis ut supra concessae, recursus ad Episcopum facultate absolvendi instructum; et quatenus affirmative:

II.—Utrum sufficiat etiam in casu eodem recursus ad *Vicarium generalem Episcopi* TAMQUAM AD ORDINARIUM FACULTATUM EPISCOPALIUM ABSOLVENDI DE IURE PARTICIPEM.

III.—Utrum generatim sufficiat recursus ad quemlibet sacerdotem habitualiter subdelegatum ab Ordinario ad absolvendum ab his papalibus reservatis, a quibus poenitens fuerit accidentaliter, ut supra, vi decreti S. Officii 1886, absolutus? Et Deus, etc.

Feria IV, die 19 Decembris 1900.

In Congregatione Generali S. R. et U. Inquisitionis ab E.mis ac R.mis DD. Cardinalibus Generalibus Inquisitoribus habita, propositis suprascriptis dubiis, praehabitoque RR. Consultorum voto, iidem E.mi ac R.mi Patres respondendum mandarunt:

Ad I et *II Affirmative, facto verbo cum Sanctissimo.*

Ad III Negative.

Feria VI vero, die 19[20] eiusdem mensis et anni, in solita audientia SS.mi D. N. Leonis Div. Prov. PP. XIII a R. P. D. Assessore S. Officii habita, SS.mus D. N. resolutionem E.morum ac R.morum Patrum ratam habuit et confirmavit.

J. CARD. MANCINI, *S. R. et U. I. Notarius.*

[18] Cf. *Acta S. Sedis*, tom. xiv, p. 46.

[19] Episcopis Americanis in F. I. num. 16.

[20] Sic.

Itaque ex ipsis S. Officii recens decisis elucet thesis proposita: IN FACULTATIBUS APOSTOLICIS HABITUALIBUS QUOD VALET EPISCOPUS VALET VICARIUS GENERALIS, NISI IUS DIVINUM OBSTET.

Applicando tandem novo hoc iuris adagio in commodum Ordinariorum aliorumque quorum interest, nonnullas quasi regulas heic adiiciendas curavimus ex supra deductis depromptas, collato iure communi.

1. *Facultas* in casu non intelligitur Indultum quoddam *personale* v. c. altaris privilegiati, sed intelligitur *qualibet potestas* pro foro externo vel interno vel utroque vel pro gratiis concedendis, verbo pro bono regimine ecclesiae tributa.

2. Facultas *Apostolica* intelligitur concessa *a S. Sede* sive immediate a Pontifice Maximo, sive mediate per Congregationem vel Secretariam vel quodlibet aliud medium: hinc non intelligitur facultas accepta a quodam Superiori Ordinis Religiosi.

3. Facultas Apostolica *specialis* dicitur non quae est insolita vel rarissime datur, sed quae pro hoc vel illa Ecclesia, pro hoc vel illo Vicariatu etc. specialiter est concessa. Nam *generales facultates* sunt quae omnibus locorum Ordinariis sunt tributae, uti v. c. facultas die 20 Februarii 1888 per S. Officium concessa omnibus Ordinariis locorum, dispensandi sc. in impedimentis matrimonium dirimentibus in gravissimo mortis periculo: et *has generales* participant quicumque nomine Ordinarii veniunt ut supra.

4. Additur: *habitualiter concessae*, quia *non* intelliguntur heic facultates, si quae forte pro uno alterove determinato casu fuerint concessae Episcopo (resp. Administratori vel Vicario Apostolico vel Praefecto Apostolico): caeterae omnes heic intelliguntur.

5. *Vicarius in spiritualibus generalis* non intelligitur tantum *Episcopi*, sed et Vicarius in spiritualibus *Administratoris* sive *Praefecti Apostolici*, item *Praelati* (sive *Praefecti*) *habentis iurisdictionem cum territorio separato.*

6. Vicarius generalis cum non iam Episcopi (resp. Administratoris Apostolici, cet.) sed ipsius Papae delegatus existat, scilicet in facultatibus Apostolicis supra descriptis, non iam poterit ab Episcopo subdelegari sed immo poterit subdelegare.

7. In subdelegando autem Vicarius Generalis, sicut ipse Epis-

copus (resp. Administrator Apostolicus, cet.), adamussim servet formam Rescripti, quippe quo coarctatur subinde ius subdelegandi.

8. Hodie omnes facultates in Formulis, sive alias, Episcopis concessae "subdelegandi suis Vicariis Generalibus quampiam facultatem vel facultates" censendae sunt superfluae. Signanter v. c. in facultate *Form* D, *art.* 8, cui consonat facultas *Form.* E, *art. final.* ita: "subdelegandi praesentes facultates (*suis Vicariis generalibus quoties ultra diem a propria residentia abesse debeat atque*) duobus vel tribus presbyteris sibi benevisis in locis remotioribus propriae Diocesis, pro aliquo tamen numero casuum urgentiorum in quibus recursus ad ipsum haberi non possit;" verba illa, quae parenthesi inclusimus, plane superflua hodie existunt, quia Vicarius generalis, sicut ipse Episcopus, est delegatus Papae; unde Vicario generali adeo non opus est delegatione vel communicatione Episcopi, ut ipse potius duos vel tres illos presbyteros valeat subdelegare, nisi Episcopus iam subdelegaverit.

9. Consequitur ulterius Vicarium generalem facultatis *communicandi* esse *de iure* participem. Cogita *Form.* I, *art.* 28: "Praedictas facultates communicandi, non tamen illas, quae requirunt Ordinem Episcopalem, vel non sine Sacrorum Oleorum usu exercentur, sacerdotibus idoneis qui in eorum dioecesibus laborabunt, et praesertim tempore sui obitus, ut sede vacante sit qui possit supplere, donec Sedes Apostolica certior facta, quod quamprimum fieri debebit per delegatos, vel per unum ex iis, alio modo provideat; quibus delegatis auctoritate Apostolica facultas conceditur, sede vacante et in casu necessitatis, consecrandi calices, patenas et altaria portatilia Sacris Oleis, ab Episcopo tamen benedictis."

10. Ad quae quidem probe notetur aliud esse *communicare*, aliud *subdelegare* facultatem. *Communicatione* nimirum transfertur facultatis Apostolicae *plena participatio* qua quis fiat ipse quoque *delegatus Papae* ad tempus quod currit facultas, non obstante morte vel a munere cessatione illius qui facultatem communicavit. *Subdelegatione* vero transfertur facultatis Apostolicae *minus plena participatio*, qua quis fiat *delegati Papae subdelegatus* ad tempus quod currit subdelegatio: quae cessat v. c. per mortem vel aliam a munere cessationem delegantis.

11. *Communicatio* fieri nequit nisi quatenus S. Sedis expresse concesserit; *subdelegatio* autem fieri potest nisi quatenus S. Sedes

expresse prohibuerit, sive implicite—scilicet coarctando, limitando —sive explicite—scilicet diserte prohibendo.

ANT. C. M. SCHAEPMAN, Iur. Can. Dr.

Zevenaar,
Archid. Ultraiect.

THE SACRAMENT OF CONFIRMATION IN THE OLD COLONIES.

THE administration of the Sacrament of Confirmation in the old colonial times of North America might be considered at first sight as only a question about the presence or absence of a Bishop in the colonies. It was in this light that the London Vicar-Apostolic, Dr. Challoner, regarded it; and he represented this view constantly as a reason for settling a Bishop there. In all his correspondence with Rome, the mention of Confirmation is ever coupled with an urgent plea to have an episcopal appointment made. As an interest to be weighed on its own merits, without attaching to it as a matter of necessity the proposal of a bishopric, it does not occur in his papers; except when that issue is forced on him from Rome, that Confirmation might be administered without a Bishop, then he begs to be excused from coöperating.

It is only when the Americans themselves speak for the first time to the Pope, that they take occasion on the spot to treat of Confirmation on its own merits. Declaring that they are now debarred from further intercourse with England, they approach the question in a manner different from that of England. It seems to them worthy of being met in either of the alternative ways, whether by the administration of a Bishop or by that of a priest duly empowered.

Now, as this view of the question, which was certainly a most sane and respectful way of treating so holy and momentous a Sacrament, could have been taken with just as much propriety forty years before, and without waiting for the preliminary cost of a great revolution to purchase it, the query naturally arises, why was such a view not taken before? And if, in the correspondence of the Vicar-Apostolic, so much was made of an episcopal settlement as a means to provide for the administration of this Sacra-

ment, why was so little made of the end on its own account? The sincerity of Dr. Challoner forbids our entertaining the notion that he took his stand on this platform merely as the expedient of an opportunist. If he did not, then the old policy held good, that the end is of more consequence than the means; and get it with a Bishop if you can, but get it anyhow.

We propose to glance at the question from three sides: first from that of Rome and the General of the Jesuits, these latter being then the sole body of missionaries on the mainland of English America; secondly, from that of the Vicar-Apostolic in London, who had jurisdiction over both the mainland and the West Indian islands, as far as these became English; thirdly, from that of Dr. John Carroll, who did actually administer Confirmation, first as a priest, and then as a Bishop.

I.

At the end of 1742, or the beginning of 1743, the Jesuit Provincial of England, Father Charles Shireburn, desired the Rector of Liège, Father Charles Rousse or Roels, to consult the General in his name on a matter now proposed by the Vicar-Apostolic of London, Dr. Benjamin Petre. The date was just a year or so after the appointment of Dr. Challoner as coadjutor to Dr. Petre. The question was about making the Jesuit Superior in Maryland a Vicar-General of his Lordship. But the proposal was not sufficiently distinct for the General and he replied in these terms:

"The subject, which your Reverence has propounded to me at your Father Provincial's request, calls for explanation. If his lordship, the Vicar-Apostolic of Maryland and Pennsylvania, wishes to substitute for himself our Priest, the Superior of those Missions, on such a basis of vicarious administration, as to delegate all his ordinary and habitual jurisdiction for every variety of cause that may concern the office, whether matter of grace or matter of litigation, such a vicarious office cannot be accepted by a priest of ours, on account of our special vow. Still a petition may be presented by his lordship to his Holiness for a dispensation, which it will not be hard to obtain in the circumstances. If, however, he wishes to communicate his power only for one or other transient act, although the matter be contentious; or, if he

wishes to delegate even in its entirety all his jurisdiction in matters of grace alone, as dispensations, absolutions, etc., in that case there is no need of further dispensation, and our Priest can accept of it.[1] Finally, the whole matter can be adjusted also in this way, without having recourse to the Apostolic See; namely, that his lordship delegate all his jurisdiction to some one else not of the Society, but at the same time impose upon him the obligation of doing nothing without the counsel and approbation of our Priest. Your Reverence may communicate the above to your Father Provincial."[2]

In the last clause of this paragraph one may recognize the policy which had been followed by Rome in the case of the English Archpriest, Blackwell, 1598–1601; and, in the tenor of this letter, one may see the principle of that policy. But in America at this date, 1743, there were no men outside of the Society eligible for a post like that of Archpriest.

The permission granted by the General to take off the Bishop's hands, without more ado, the administration of matters of grace, "dispensations, indulgences, etc.," clearly left the Jesuit free to accept and exercise such an administration as that of Confirmation, if offered. That did not belong to the contentious forum, or litigation. Nay, the General showed such consideration for distant Maryland that he left it at his lordship's discretion to obtain a dispensation from Rome for Father Thomas Poulton or Father Richard Molyneux, the Maryland Superior of the time, and so have him qualified to become a full Vicar-General.

This was in 1743. A hundred years later, Father John Anthony Grassi, who had been Superior of the Maryland Mission, wrote a memoir for the General Father Roothaan, and made this statement:

"In view of the very great distance from any bishop, the Holy See had granted extraordinary faculties to Jesuit missionaries, and at certain times even that of administering the Sacrament of Con-

[1] Si autem vult pro uno alterove solum actu transeunte, etiam in causis contentiosis, suam potestatem Ipsi tribuere, vel solas gratiosas, uti sunt: dispensationes, absolutiones, etc., licet universim, Ipsi delegare, id absque alia dispensatione noster Sacerdos admittere potest.

[2] Gen. Epist. Anglia: 1743, Mart. 9; Leodium, P. Carolo Roels.

firmation to the faithful living in those far-off regions." Here he adds a foot-note: "I saw in the sacristy of the residence of St. Thomas', near Portobacco, in the year 1812, letters patent for such a faculty."[3]

Considering the very precise terms of this statement, we cannot gratuitously suppose that he was mistaking one thing for another —the faculties, for instance, of the Prefect Apostolic, Dr. Carroll, for those imparted to the old Jesuit missionaries. The objective error would have been somewhat too gross in a man who, a contemporary of John Carroll, was also a successor of his as Superior of those missionary stations. Besides, St. Thomas' was not the place for any papers belonging to Father Carroll, who had never lived there. But late Superiors of Maryland, Father George Hunter and Father Richard Molyneux, not to mention others, had lived permanently at St. Thomas', as the headquarters of the mission. And so we may accept the testimony of Father Grassi, who as a responsible Superior had moved to and fro between Georgetown and St. Thomas', that there had been authentic faculties to confirm bestowed upon some Jesuit or Jesuits during the missionary times of Maryland. These times had been prior to the revolution and prior to the suppression of the Society. For, with the breaking out of the revolutionary war, the old order of things came to an end; and, with the suppression, the Jesuits themselves in Maryland had reached their term.

II.

As to the sense of Rome and the Holy See on the subject of delegating missionary priests to administer Confirmation, there was nothing very extraordinary in such an arrangement. Only eight years after the date of the letter quoted above, from the General Father Retz to the Rector of Liège, Pope Benedict XIV

[3] Attesa la somma lontananza de qualunque Vescovo la S. Sede aveva accordato straordinarie facoltà a Missionarii Gesuiti, e in certi tempi anche quella di amministrare il Sacramento della Confirmazione a' fedeli abitanti in quelle dissite regioni.

(*a*) Nella Sacristia della Residenza di S. Tommaso presso Portobacco vidi nel 1812 una patente per tale facoltà.

Grassi, Jo. Ant.: Memorie sulla Comp. di Gesú, ristabilita negli Stati Uniti, ecc.; pag. 6.

conveyed to the next General, Father Visconti, a very comprehensive indult regarding that Sacrament. To the Superiors of all the missions belonging to the Province of Quito, in the vast regions of the Amazon, the Pope gave a general power of confirming, with Chrism that might be had from any orthodox bishop, and that might be old, if newer could not be had. During the lifetime of the bishop, in whose diocese the mission happened to be, permission was to be obtained from him once for all, and he was obliged to give it gratis. In territories that were *nullius*, under no episcopal jurisdiction, but were committed directly to the Society by the Apostolic See, there was no need of reporting to anybody. The Superior so empowered could delegate one or more of his missionaries. And all the Jesuit missionaries were herewith authorized to confirm anybody in danger of death, or at the point of death, *in periculo vel articulo mortis*.[4]

To show the general course of events, with reference to this point, we may mention a circumstance or two which will refresh the memory of readers on the subject.

About 1670, the Vicar-Apostolic of Cochin-China had censured an opinion put forward in the Moral Theology of Quintana Duegna, a Jesuit, to the effect that, in the East and West Indies, and in other countries of the infidels, all regulars could administer the Sacrament of Confirmation to all the faithful, and could confer minor orders on their own subjects; and that these powers were derived from the bulls of Leo X and Adrian VI. The condemnation of this opinion by the Vicar-Apostolic brought upon him an excommunication from the local inquisitor. Clement X, when appealed to, declared in favor of the Bishop; and added that the wide proposition, which had been censured, was not sufficiently grounded on the aforesaid privileges of Leo X and Adrian VI; and, to be sustained, it must be made to rest on other special privileges.[5]

Here it is clear that no offence was taken at the idea of large

[4] Hernaez: Colleccion de Bulas, Breves y otros documentos relativos a la Iglesia de America, etc.; tom. i, pp. 441–4; Benedict XIV, 8 Sept. 1751; *Non solum.* Bruselas, 1879.

[5] Bullarium Patronatus Portugalliae Regum, etc.; tom. ii, pp. 128–9; Clemens Papa X, 11 Sept. 1671; *Coelestibus et apostolicis.* Olisipone, 1870.

powers being wielded by simple missionaries; and reasonably, as those bulls of Leo X and Adrian VI make manifest. In the first diploma of powers which Leo X granted to Franciscan missionaries departing for America, he commended their apostolic labors in the terms of a long series of his predecessors, from Nicolaus IV onwards, and renewed an imposing array of faculties already granted by those Popes. These he reissued in favor of America. To speak only of our present subject, the Friars had the power, in case of necessity, when there were no Bishops in the province, to administer the Sacrament of Confirmation to the faithful, with Chrism that was even three years old, and to confer minor orders. Renewing these powers, Leo X defines the limitation, that, as to those powers which concern the episcopal order and dignity, they could not be exercised in virtue of the present bull, except in provinces where there was no Catholic Bishop; for elsewhere pontifical functions could be performed only by Bishops.[6] On the subject of jurisdiction, the next Pope, Adrian VI, made a very sweeping and trenchant provision in his constitution called the "Omnimoda." He simply granted to the Friars Minor for Spanish America "all the apostolic authority of the Holy See, in respect of internal and external jurisdiction alike, as far as they should judge expedient" to use it, for the ministry entrusted to them.[7] The limitation arising from the jurisdiction of a Bishop in his territory was defined to suppose, that the episcopal officials could be reached within a two days' journey.[8] Here it may be observed that Maryland was a two months' voyage from the nearest bishopric, that of London. For, as to Quebec, that See might be nearer in a geographical line, but it was much farther in practical intercourse.

Paul III, rehearsing and confirming the ample grant of Adrian VI, extended the application of it to the territory of bishoprics in Spanish America, and subjected the use of it there to the consent of the Bishops.[9]

[6] Hernaez, I, pp. 377–9; Leo X, 25 Apr. 1521; *Alias felicis.*

[7] Omnimodam auctoritatem nostram in utroque foro:—Hernaez, *ibid.*, pp. 382–4; Adrian VI, 9 Maii 1522, *Exponi nobis.*

[8] Infra duarum dietarum spatium.

[9] *Ibid.*, pp. 390–1; Paul III, 15 Febr. 1535; *Alias felicis.*

To explain a circumstance in this Maryland question, we mention just one point more, that Julius II and Leo X had granted the formal communication of all privileges, graces and indults, as among the mendicant Orders themselves; and this relationship among them became one of juridical right as well as charity.[10]

In the Society, while the General alone could commission his subordinates to use faculties or privileges, there were always other considerations besides, which still further qualified their use. Thus we find a note in the Maryland archives to the following effect: "Some points of the grant," says the note, "must be used cautiously, when any danger should appear in [of?] displeasing Ecclesiastical Superiors."[11] We are inclined to think that it was such a consideration as this which governed the question of Confirmation in the provinces of Maryland and Pennsylvania.

However that may be, we observe that Father George Hunter, the Superior of Maryland, crossed over to England several times during Bishop Challoner's term of office. Once he passed through Canada. Half a century later, a successor of his in office, Father Grassi, saw patents for the faculty of confirming, at the place of Father Hunter's old residence.

III.

There was an offset to the picture which we have just given, of what Rome and the Popes thought and did with reference to the Sacrament of Confirmation. We cannot show off this side better than by referring to an episode, heretofore unknown, in the career of the first Lord Baltimore. During the years 1628–1631, when George Calvert, the recent convert, was moving about between England, Newfoundland, and the Chesapeake, he was also immersed, while at home, in Catholic controversy, and that not with Protestants, but with the members of the household. He and eleven other Catholic peers emphatically dissented from the proposal that Dr. Smith, the Bishop of Chalcedon, should be recognized as exercising the powers of an Ordinary. Answering

[10] *Ibid.*, pp 376–7; Julius II, 1 Junii 1509; *Alias ad supplicationem;* Leo X, 10 Dec. 1519; *Dudum per nos.*

[11] L. i, p. 9.

his pastoral announcement, they declared to him that his claim, if admitted by them, would involve them and their families in the penalties of *premunire;* and he had no right to come and make such a demand on them. Lord Baltimore's correspondence with Lord Petre, supported by other circumstances, shows us that he was a leading spirit, if not the leader, in the agitation, which he kept strictly on the ground of a layman's protest: Accordingly, in the next protestation, to which some twenty-five lords assent in different degrees, with three hundred more of the Catholic aristocracy, he touches and sets aside the purely ecclesiastical issues at stake. "Omitting," he says, "other points, which do not concern the present case, and which are held as incontrovertible among Catholics; for instance, that episcopal authority, confirmation, and the like, are necessary in the Church of God; omitting, too, the dispute which is in progress as between the regulars and the seculars, wherein we do not meddle." [12]

For this figure of preterition, whereby they left the ecclesiastical merits of the question on one side, Baltimore and the other Catholic lords had good reason; not only in the propriety of the case, as they were laymen, but also in the nature of the theology which had been imported into the controversy. The importations had been chiefly from France, whence Gallicans, like Francis Hallier, had not only lent their opinions but had lent themselves, plunging headlong with big books into the affray; and this, they said, the French Church had a right to do, with regard to England, by an original and native claim of jurisdiction. Hence there was no want of variety in the tenets and pamphlets and books of the time. We quote some of the dogmas which Baltimore and the other peers were reading at that date:—

As to the Sacrament of Confirmation: This is a means necessary to salvation, and has so been defined by the Church. Sufficient grace can be had without this Sacrament; but not efficacious grace, unto the confession of the faith before a tyrant. It is in the highest degree doubtful whether the power of administering Confirmation can be conferred upon a simple priest. The Sovereign Pontiff would commit a sin if he entrusted the power

[12] Documents of 1628: Aug. 8, 1631; again, Aug. 1631; all of Calvert's or of the Peers with Calvert. Copies, with other documents in Archives, S.J.

of administering Confirmation to any one else but a bishop, just as he would commit a sin if he permitted Consecration in dubious matter, and so ran the risk of sacrilege.

As to regulars, or members of religious orders, there was no end of variations to the Gallican theme. It was held that religious as religious, including those whom the Sovereign Pontiff has commissioned to go and preach the Gospel, belong to the passive order in the Church of those who must listen and learn, and are to be reckoned among the laity. It is a violation of the divine law, that the people of any bishopric should be provided for by the Sovereign Pontiff through none but regulars. The obligation which binds a curate is that of a good shepherd; the obligation which binds a religious is that of the mercenary, described in the Gospel of St. John, chapter 10. Religious Orders, even those which have been instituted by Papal privilege to work for the salvation of souls, go beyond the limits of their vocation when they busy themselves with the conversion of souls or the preaching of the word of God.[13]

All that has been generally known of the part which Lord Baltimore took in this controversy seems to be that notice which Panzani left of him in the Memorial drawn up for Rome. The little paragraph is a good specimen of the whole Memorial, as the propositions given above are a specimen of the merits of the question. He says: "George Calvert, Baron of Baltimore, signed [the Protestation] at the instance of Toby Matthews, and of Father Knott, a Jesuit; but he died a few days later; and by some it was ascribed to the judgment of God."[14]

We shall meet now with an American layman and divers associates of his, treating a similar question on parallel lines with the

[13] We pick these from a very extensive syllabus of 16 pp. fol., under the caption: Propositiones quaedam collectae ex libris Rmi. Chalcedonensis aliorumque auctorum, qui ipsius causam defenderunt. The authors, books, and exact places of the quotations are indicated: *Angl. Histor.*, vol. iii, ff. 469—477, vo; in Arch. S.J.

[14] *Giorgio Caluert* barone di Baltimore sotoscrisse a persuasione [f. 37] di Tobia Mattei, e del P. Knot Gesuita, ma morì pochi giorni doppo; e da alcuni fu attribuito a giuditio d'Idio.—Barberini, lvi, 136, ff. 36vo, 37. For Penzani, who saw Jesuits everywhere, Sir Toby Matthews was a Jesuit in short cassock. A sketch of the Memorial, with this passage about Calvert, may be seen in Brady, W. Maziere: Episcopal Succession, etc., vol. iii, pp. 83–103; Rome, 1877.

first Lord Baltimore. But let us first look at the correspondence of Dr. Challoner, Vicar-Apostolic of London. It is pretty well known; so we need only select the relative phrases or short passages. And, even among them, it would be quite monotonous to reproduce all here.

IV.

On September 14, 1756, Dr. Challoner wrote to Dr. Stonor, the clergy agent at Rome, that "some have wished, considering the number of the faithful, especially in those two provinces [of Maryland and Pennsylvania], destitute of the Sacrament of Confirmation, and lying at so great a distance from us, that a Bishop or Vicar-Apostolic should be appointed for them. But how far this may be judged practicable by our Superiors, I know not; especially as it may not be relished by those [the Jesuit missionaries] who have engrossed that best part of the mission to themselves; and who may, not without show of probability, object that a novelty of this kind might give offence to the governing part there; who have been a little hard upon them of late years." After describing the desolate condition of some British colonies on the mainland, he says: "As to the [West Indian] islands, the state of religion is much worse than on the continent;" in the general relaxation there, "neither priests nor people are half so regular as the Marylandians and Pennsylvanians are." All priests in those parts apply to the London Vicar-Apostolic for faculties; "which is true of the padri also [the Jesuit missionaries] in Mariland and Pensilvania; at least from the time of the Breve of Innoc. XII in 1696; only that they used rather to ask for approbation; but now also for faculties."

On August 2, 1763, in a report ordered by the Propaganda, he says of the Maryland and Pennsylvania missionaries, that "the Jesuits, having faculties from us, acquit themselves with great credit of their duties in those Missions."[15] There are about eighteen missionaries, and they take in New Jersey and Virginia besides. Dr. Challoner then goes on to plead for Confirmation on behalf of the 23,000 Catholics there; and he proposes that the Bishop of Quebec be charged with that duty.

[15] Et Jesuitae, acceptis a nobis facultatibus, illic valde laudabiliter Missiones exercent.

Half a year later, he returns to the same thesis with his agent, on March 15, 1764.

In this year, 1764, the Roman agent presented to the Sacred Congregation a report in eleven sections, clearly derived from Dr. Challoner's previous correspondence on the English colonies of America. He surveys all from Canada down to the Antilles. As to the sixteen Jesuit Priests in Maryland and Pennsylvania, he says: "These religious conduct themselves with great zeal and edification."[16] The story of the Islands is just the reverse. In the name of Dr. Challoner, he pleads for the appointment of a Vicar-Apostolic, preferably in Philadelphia. And the reasons alleged are these: First, the great distance does not permit Dr. Challoner to make a personal visitation in America; therefore, secondly, he cannot have the requisite information for the correction of abuses; thirdly, he cannot administer the Sacrament of Confirmation to the faithful there, who remain entirely destitute of that spiritual succor;[17] fourthly, he cannot provide ecclesiastical ministers, partly because of the said distance, partly because he has not the pecuniary means.

In the next year, 1765, February 15th, Dr. Challoner is much encouraged at the prospect of an appointment for America; but, at the same time, he is discouraged on contemplating those Jesuits over there, how they would receive and provide for what he calls "one of ours," if sent to be quartered on them. He says to his agent: "What you add of settling 2 or 3 VV. AA. in that part of the world is an object that certainly deserves the attention of our friends. But I foresee the execution of it will meet with very great difficulties, especially in Mariland and Pensilvania, where the padri have had so long possession and will hardly endure a pt. [priest]; much less a B. [Bishop] of any other institute; nor indeed do I know of any one of ours that would be fond of going amongst them, nor of any one that would be proper for that station who could be spared by us in our present circumstances."

On May 31 of the same year, he laments the destitution of the

[16] Questi Religiosi si comportano con gran zelo e regolarita di costumi.

[17] Non puol amministrare il Sagramento della Confermazione a quelli fedeli, che rimangono totalmente privi di questo spirituale aiuto.

Catholics with regard to Confirmation, and enters a protest; it is, he says, "what I am sure our friends [in Rome] will never suffer."

V.

At this point the Catholic laymen of Maryland interpose. They do so under the leadership of one who was quite worthy of being ranked with George Calvert, the founder of the Baltimore dynasty, and with two others of his own name, Charles Carroll, his father, the attorney-general of Maryland, and Charles Carroll, his son, the signer of the Declaration of Independence. The line they follow is just the same as that pursued by Calvert, one hundred and thirty-five years before. Having received word that an Apostolic Vicar was in prospect, they protest against the project, but without even touching a strictly ecclesiastical issue. All their motives are such as suit laymen, who know the temper of the times, and who are positive that it is not the time for a Bishop. One letter is that of C. Carroll, Ign. Diggs, Hen. Darnall, P. Manner and 256 other Roman Catholics of the Province of Maryland; and is addressed to the Jesuit Provincial, Mr. Dennett, as "head of the Gentln. we have for our teachers"; desiring him "to transmit copys hereof to all whom it may concern." At the same time, Charles Carroll sends a personal letter, July 16, 1765, to the Vicar-Apostolic, saying: "Although I have subscribed with others to that letter, other considerations have induced me singly to address myself to yr Ldship on the subject." And then lower down: "Some may suggest yt this my letter to yr Ldship as well as the R. Caths. letter to Mr. Dennet has been wrote at the instigation of the Jesuits. For myself my Lord I most sincerely profess yt uninfluenced by 'em I write this, and sign'd ye other letter, w^ch^ contains not only my own but I am very well convinced ye true sentiments of every Rom. Cathck. in Maryland." Now the stand which these Catholics take may be given in one phrase of the joint letter. They say: "We think it our duty to God, ourselves, and posterity to represent our objections against such a measure, as wt [what] would give our adversaries, bent on our ruin, a stronger handle yn [than] anything they have

hitherto been able to lay hold on, and consequently terminate in the utter extirpation of our holy religion." [18]

These letters met with the same treatment as Panzani and those he represented had dealt out to the protest of Baltimore and the other lords. For, in the next letter which we have, dated September 12, 1766, fourteen months after the protest of the Maryland laymen, Dr. Challoner says to his Roman agent, Dr. Stonor: "I believe I never told you how much those gentlemen [the Jesuits] were alarmed upon hearing the first rumour of a Bp. [Bishop] being designed for North America; and what opposition and subscriptions they procured from the laity there; which they would have had me to send to Hilton [Rome], but I desired to be excused. By which I plainly see it will be no easy matter to place a B. [Bishop] there, although there be so many thousands there that live and die without confirmation. The case of the Islands is still worse, as they are very indifferently served with miss—s [missioners]," etc.[19]

Now Rome came to the rescue, and proposed that Priests should be empowered to administer Confirmation. The Bishop expresses his alarm, and declines to coöperate. On the 4th of June, 1771, he writes to his agent: "The Memorial regarding the affairs of America, which you have sent me by order of the Sacred Congregation, has appeared to me truly worthy of the distinguished prudence of the Eminent Cardinals; and I find that it resolves with perfect precision the doubts and scruples which I had proposed." Speaking of the islands, he finds only one there, Father Benjamin the Capucin, on whom he can rely, and so he proposes to renew that Priest's faculties as Vicar-General for the newly acquired islands. He proceeds: "As to what is proposed in the Memorial about giving to the said Father Benjamin or to some other Missionary an extraordinary faculty to administer the Sacrament of Confirmation, I see great difficulties in the way. The measure is without example in those parts; and there is reason to fear, that such a novelty could give some

[18] From contemporary copies in Arch. S. J.

[19] Much of the Challoner correspondence thus far cited may be seen published in the American Catholic Historical Researches, XIII, pp. 35–40; XII, pp. 44–5. The documents themselves are in the Westminster and Propaganda Archives.

kind of scandal, as well to Catholics as to the heretics themselves. Moreover, as the Missionaries in those parts are so little united among themselves, I should be afraid of giving such an extraordinary commission to any one of them. Above all, I should not wish to give it to any one of those Missionaries who are now in the islands belonging to Great Britain before the last war." [20]

The reasons, then, which the venerable Bishop alleges against passing on the faculties for Confirmation to a Priest, are these: First, it is a thing unexampled that a Priest should ever give such a Sacrament there. This reason, however, might lead the Sacred Congregation to quote his own papers, that it was a thing unexampled for a Bishop ever to give such a Sacrament there. Secondly, that such a novelty might cause some kind of scandal both to Catholics and to Protestants. The answer might come, that, where the novelty was to be tolerated, he was the best judge, since he had been arguing for it during the last twenty years; and as to the scandal of heretics in giving the Sacraments to Catholics, that seemed to be a novelty in theology. Thirdly, that the missionaries were equal, and preference would cause trouble. This reason would stop all further appointment of Bishops in the Catholic Church. Fourthly, no one of the missionaries found in the older British islands was worthy of confidence. The answer was obvious: Give the faculties at least to your Father Benjamin the Capucin.

However, if no Priest is to confirm in America, we may hope now at least to hear no more complaints about the Sacrament being denied to the Americans through the fault of other people. To our surprise, he continues, in the same letter: "As for what concerns the mainland, Catholics are in great numbers in the two Provinces of Maryland and Pensilvania; and there are some others scattered in the neighboring colonies of Virginia and New Jersey, all under the care of the Jesuit Fathers, who receive their faculties from me. According to their relations, these Missions are in a very flourishing state. For the rest, it is a lamentable thing, that so great a multitude have to live and die always deprived of the Sacrament of Confirmation. These Fathers

[20] Estratto di una Lettera del Vicario Apostolico di Londra al suo Agente in Roma in data delli 4 Giugno 1771; ad init.

show an indescribable repugnance to the settlement of a Bishop among them, under the pretext that it could excite a violent persecution on the part of the secular government." Then he goes on to argue that, at least, the Bishop of Quebec might be invited to come down to Maryland.[21]

Whatever may be the case of the Fathers, it is quite clear that some one else has "an indescribable repugnance" to handing on the powers for Confirmation, offered by Rome. Here, in Maryland, the missionaries are not disunited, as in the islands. They have a superior who is recognized by the Bishop himself. They are all excellent, according to the Bishop's repeated testimony. The people are not dissolving in luxury like the populations of the islands, but have been in the crucible of a searching persecution.

In the course of a year or so, orders were expedited from Rome, requiring Mgr. Briand, the Bishop of Quebec, to go and administer Confirmation in Bishop Challoner's district, Maryland and Pennsylvania. As Quebec, for all practical purposes, was farther from that district than London, and, as something was known there about the truth of what had been stigmatized to the Sacred Congregation as a "pretext," Mgr. Briand consulted the Jesuits of Canada; and they consulted the Jesuits of Maryland. And the consequence was, that Mgr. Briand went not.

One word from Father Farmer's letter on the subject will show just where Bishop Challoner left the matter: "I would not have it understood," he writes, "as if we ourselves do not ardently desire that Confirmation could be administered to the faithful born here, but that we see plainly with our eyes in the state of mind among the Americans, that such a measure could not be taken with safety by a person invested with the character of a dignitary."[22]

Thus, in the state of the public mind, only one way was practical and would have been effectual; and that was to invest a

[21] É cosa per altro da compiangere, che una moltitudine cosi grande abbia de vivere e morire priva sempre dal Sagramento della Cresima. Quei Padri mostrano una ripugnanza indicibile allo stabilimento di un Vescovo tra loro, sotto pretesto ecc.

[22] Fr. Ferd. Farmer, Philadelphia, 22 April, 1773, to Fr. Well, Mascouchi. University Arch., Quebec.—For a part of this letter, *cf.* Rev. T. J. Campbell, S.J.: Historical Records and Studies of U. S. Cath. Hist. Society, New York, Vol. I, pp. 275–6; Appendix to article on The Beginnings of the Hierarchy in U. S.

priest with the powers of confirming. That was the one way for which the Vicar-Apostolic of London had an "indescribable repugnance," to employ his own phrase. The venerable Bishop departed this life on the 12th of January, 1781, leaving things as they had been forty years before. On June 19, 1784—that is, three and a half years after Dr. Challoner's death—the jurisdiction of London over the American English colonies was abolished, as a letter of Cardinal Antonelli informed Bishop James Talbot, Vicar-Apostolic of the London district. Henceforth, if America is to be helped, it must help itself.

We shall now conclude by observing how Father John Carroll and his colleagues did supply the crying want, which had cried so long in vain.

VI.

In a trustworthy document we find it recorded that, on the return of Father John Carroll to his native country, after the suppression of the Society, Father Lewis Roels, a Belgian, was Superior of the ex-Jesuits and "Vicar-General of the Bishop of London."[23]

This was in the year 1774, after the suppression. And we must confess candidly that it is the first documentary notice which we find of the Vicar-Apostolic in London having delegated any powers whatever to any American Jesuit or ex-Jesuit. And yet the Fathers were always applauded by him; and, as the first of what we may call the Franklin-negotiation documents puts it, they were, on occasion of the suppression, "approved again and praised by the Vicar-Apostolic of London, and each stayed at his post, and continued with zeal and industry to till the vineyard of the Lord"—a vineyard which, as the same document says, they had "founded and cultivated at their own expence, as also at the cost of great and varied labors."[24]

[23] Cenni sulla Chiesa Cattolica nella Colonia di Maryland negli Stati Uniti per quello che riguarda la Compa. di Gesu, p. 46; fifty-three pages of large 4to. The document is derived with perfect accuracy from Jesuit archives, besides public sources. We take it to be Fr. Grassi's contribution, by order of the General, to M. Cretineau-Joly's Histoire de la C. de Jésus.—In the Arch. S. J., Paris, College Ste-Geneviève.—Compare a note which we have made of it in the Calvert Papers, Vol. III, Appendix A, p. 49; Fund-Publication, No. 35, Maryland Historical Society.

[24] The Propaganda document: Missio Catholica . . . secum commorentur; without date.

In the process of organization which was then started among the ex-Jesuits, and of which we see by Father Carroll's papers that he was the life and soul, we need take note, for our present purpose, of only one or two stages.

In 1783, a former Jesuit Superior of the Mission, Father John Lewis, and four representatives of all the other missionaries, petitioned the Holy Father for a mode of government, practically that of a Prefect-Apostolic, under a Superior whom they shall elect. And on the spot they ask that such Superior for the time being shall have power to confirm. This is a lengthy document, and many specific powers of dispensation are asked for. It is in the Jesuit archives. There is a shorter form, which is in the Propaganda.[25] It retains the passage about Confirmation; and it asks for the approbation of the actual Superior, John Lewis, who, they say, was already approved and confirmed by the Vicar-Apostolic of London, and who, therefore, we may presume, followed Father Roels as Vicar-General. In both documents, the petitioners mentioned are the same,—John Lewis first, John Carroll last.[26]

Father Carroll himself was appointed Prefect-Apostolic; and writing to his friend Father Charles Plowden, he mentions that the first power communicated to him in that capacity is "a grant from the Pope to confer Confirmation." "*Cosa mirabile!*" exclaims the writer of the Paris document to which we have referred. "How extraordinary! The Sacrament of Confirmation has never yet been administered in these provinces!"[27]

They were quite content now, as Carroll told Cardinal Antonelli; and they wanted no more, till new eventualities, especially with regard to ordinations, should render the appointment of a Bishop necessary.[28] When the foundation of Georgetown Academy made this contingency a subject of actual policy, the representatives having met at White Marsh sent out a circular to their constituents, the other missionaries. They announced the decision to which they had come, of asking for a diocesan Bishop. But they

[25] And probably the original draught of this letter is that in 3 pp., fol. 9, K. of the diocesan Arch. Baltimore; in Carroll's hand.

[26] For an English version of the shorter one, see Shea's *History of the Catholic Church in U. S.*, vol. ii, pp. 309-10.

[27] Carroll to Plowden, 27 February, 1785—Cenni sulla Chiesa ecc., p. 52.

[28] Carroll to Card. Antonelli, February 27, 1785.

did not close and sign the circular, by the hand of their secretary, Father Charles Sewall, without inserting one pointed paragraph of censure upon the antecedents which had been their lot in "England and China and other Eastern countries."[29]

As to that close wedding of the proposal to give Confirmation with the fixed idea of settling a Bishop from England in Maryland, there was a note struck by Dr. Challoner in connection with it; and it was very accurately responded to by the first American Bishop. The note was that of appropriating in part the temporalities of the Jesuits for the settlement of the Bishop. For the London Vicar-Apostolic had said disapprovingly to Dr. Stonor, that the Jesuits "had engrossed that best part of the mission to themselves"; and again, "the padri there have had so long possession." He says, they would "hardly endure a Priest much less a Bishop of any other institute." Why a Priest should even be dreamt of for Missions so well manned, is not at all clear, when other places were quite destitute of good Priests. There were plenty of posts to be occupied or made, outside of the Jesuit temporalities. But there were few places like them, if there were a question of the temporal settlement of Priest or Bishop. At the same time, he expressed his regret that, in any case, he could not find "one of Ours" to send over. For, if this "one of Ours" is fit to go among those Jesuits, we cannot spare him; and, if he is unfit, we had better keep him.

Now, as to all this, express or implied in the passages quoted already, the new American Bishop spoke to Cardinal Antonelli about new-comers of the time, whom he stigmatized in private as "adventurers;" and he said they had their eyes on the best places and wanted to get them; but he represented to his Eminence that the ex-Jesuits were beloved by their flocks, and could not be removed to accommodate others.[30] At another time, he asked with fine irony: "Was it a crime to leave the harvest of *other* countries free to the workmen who were disposed to labor in it?"[31]

[29] November 24, 1786. Circular on a Diocesan Bishop; copy addressed to the Rev. Gentlemen of the Southern District.

[30] September 27, 1790, Carroll to Card. Antonelli.—Shea's transcript.

[31] Carroll's MS. against Smyth.

Meanwhile, as to the temporal settlement of a Bishop, his own appointment was the answer to that deliberation. He was provided with an episcopal *mensa* from Jesuit funds or farms. So that, in Bishop Carroll's person, all the threads were nicely gathered up and knit together: Confirmation, the bishopric, and the temporalities.

But if, to finish the question of Confirmation, one asks what had become of the old patents stored up in the residence at Portobacco, we reply: In the first place, with the dissolution of the Society there was no longer any value in them. Secondly, before the dissolution, there was no use for them, as long as the Vicar-Apostolic of London was in such a frame of mind. It is true that, in the tenor of the Quito faculties, he should have had to give his consent to their use. Still such trenching on his ground would have been a pretty source of offence, especially when it does not appear that he even used their Superior's services for the ordinary functions of a Vicar-General, such as that of imparting faculties to the other missionaries. Finally, as the venerable pastor kept the faithful thus tightly in his own charge, it was none of their business. Their rule prescribed to the members of the Order that they should not use the privileges at their disposal in such a way as to give just cause of offence to Ordinaries. So they gave no cause, just or unjust. And Bishop Challoner never complained that they did.

THOMAS HUGHES, S.J.

Rome, November, 1902.

AN HEREDITARY PAPACY.

IN a series of articles on *The Development of the Papal Conclave* which recently appeared in THE DOLPHIN, the writer, T. L. L. Teeling, gave an excellent survey of the traditional methods by which the Sovereign Pontiff is elected to his high office. Nothing was said in those papers regarding a mode of designation to which public attention was called some time ago in the popular press by the rumor that the present illustrious Pontiff had actually designated his own successor in the Papal chair. Whether this report

be true or false it will at all events be interesting to discuss the question as to its real merits from a canonical point of view.

The history of Papal succession is, on the whole, synonymous with a record of Papal elections. We see from time to time variations of method. At first it is the Roman clergy and people who pronounce; later the emperors usurp a certain prevalence; then, under the influence of the great reformer Hildebrand, Nicholas II recalls discipline to a more correct ideal, and the Cardinal Bishops are endowed with an exclusive right; and finally Alexander III gives us the law which holds to-day in virtue of which a two-thirds vote of the entire College of Cardinals is necessary to enthrone the successor of St. Peter. But amid all these changes the method of election stands out as the one historical, ordinary, legal mode of providing for Papal succession. And there can be no question that it is also the method which commends itself as the best possible in a society where human motives and human action must necessarily have a part even in the highest and holiest affairs.

However, it is quite clear that the present way of electing by vote of the Cardinals is not demanded by any immutable law, or by the divine constitution of the Church. Indeed, at one time the Cardinals exercised a very minor part in this important act. They owe their present prerogative entirely to positive, human legislation. Hence ordinances emanating from proper authority might reduce or modify this prerogative either by altering the character of the electoral body, that is by restricting, for example, the right of suffrage to the Cardinal Bishops, as was done in the time of Nicholas II; or by enlarging the conclave so as to comprise a certain number of Archbishops or Bishops. There is no difficulty in admitting the possibility of such changes. But when we go farther and seek to learn whether law, human enactments, could do away entirely with the process of election, and substitute for it the choice of a successor by the reigning Pontiff, according to his own judgment, the answer is not so apparent at all. Certainly, if the intelligence were authoritatively communicated from Rome that the present Sovereign Pontiff had named a certain Cardinal to succeed him in the government of the Church, the novelty of the act would no doubt create some astonishment throughout the

Catholic world, and many would ask in surprise: "Has the Pope really the power to name his own successor, and can he render a Conclave both unnecessary and impossible?"

The question may be a new one to the lay world, but it has long been, as was stated above, a matter of discussion among canonists and theologians; and the great majority of writers have agreed that it must be answered in the negative; that the Pope does not enjoy the prerogative of naming effectually his own successor, and that the power of designating a Pope rests essentially with the elective body in the Church. They allow that he may recommend the appointment of a certain candidate, but beyond recommendation and advice and exhortation, his activity may not pass.

It was natural that this should be the trend of opinion. Gratian,[1] inspired by explicit prohibitions of episcopal designation which he found in ancient texts, had early given a certain authority to the teaching which has been maintained in the schools down to the present day. He did not doubt the choice and appointment of Clement by Peter; he even admitted that it might serve as precedent, if a Pontiff were equally discerning in his selection of a successor; but he believed that the practice, if it were generally adopted, would result in great evils, fostering favoritism by which unworthy bishops might be installed; and consequently he held and taught that this practice had been declared altogether unlawful: "hoc autem penitus prohibetur." Gratian's dictum, and the text on which it was founded, reappear frequently in the writings of other authors. The decree of Pope Hilary, in c. 5, is cited by every writer of repute in Canon Law; the idea of a *jus hereditarium*, discussed in c. 6, 7, is repudiated, and canonists of subsequent times, following Gratian, generally assume it as a demonstrated conclusion that the Pope does not enjoy the right of designating his successor. There are, it is true, some dissentient authorities. Among these is to be mentioned the great Suarez,[2] who, while maintaining that the Pope did not ordinarily possess the right to designate a successor, defended such designation as legitimate in case of necessity.

[1] C. 8, q. 1.

[2] *De Fide*, Disp. 10.

Nor do we, on examining the more recent authorities in Canon Law, find that the controversy has entirely ceased. Among the latest publications which touch this matter we have several works by eminent Roman professors. Sebastianelli,[3] of the Apollinare, contents himself with briefly affirming his adhesion to the negative opinion, which he calls the "communior doctrina canonistarum et theologorum," assuming that the matter is settled by decrees of Popes Hilary and Pius IV. He is incredulous as to the appointment of Clement by Peter. Cavagnis,[4] of the same University, appeals to the Papal pronouncements mentioned by Sebastianelli, but also invokes certain arguments drawn from reason. The hereditary papacy, he says, is contrary to the constitution of the Church; and, besides, it would attribute activity and jurisdiction to the Pope at a time when death had stripped him of all authority. Lombardi[5] is even more outspoken. The affirmative opinion is, according to him, antiquated He does not think that any argument can undo the force of the decrees of Hilary and Pius IV; to him the idea of an hereditary Papacy is utterly repugnant to reason, whilst that of a dead Pope exercising jurisdiction appears to him too absurd to require refutation. No Pope, he triumphantly says, ever exercised this right, although more than one was so situated that personal designation of a successor would have relieved him of great anxiety, and saved the Church from cruel embarrassments. Boniface II, momentarily deluded on this point, soon saw his error, and revoked his rash act. The assumption that St. Peter named Clement is answered by Lombardi with the assertion that there is no reliable authority for the statement, which is based upon a text from Pseudo-Isidore; moreover, he thinks that the example of St. Peter, an Apostle, with unusual enlightenment and extraordinary privileges, can hardly serve as a precedent for his successors.

The point to be noted in the above-mentioned works is that they all without hesitation and unequivocally deny the effectual right of a Pope to designate his successor in the sovereign office of ruler of the Universal Church. They all convey the idea of

[3] *De Personis*, p. 83.
[4] *Jus Publicum*, vol. i, pag. 461.
[5] *Institutiones*, vol. i, pag. 194.

the absolute necessity of Pontifical election through the Conclave. They are at one in the contention that no Pope, including St. Peter, ever named his successor; and they all base their opinion upon certain Papal laws which entirely exclude such a nomination; nay, two of the above-mentioned authors go so far as to imply that this method of designation would conflict with natural and divine law, would therefore invalidate the choice of the Pontiff thus designated, and be in itself an illicit proceeding, a transgression of law; in short, the attempt so to choose a Pope is a simple practical impossibility. The Pope enjoys a plenitude of power in regulating the action of electors, but there his power stops. "Non tamen in ejus potestate est successorem ipsum designare."

But there are others holding the opposite opinion. Thus the Roman professor, Fr. Wernz, S.J., of the Gregorian University, is quite absolute in affirming that the Pope has the right to designate his successor. Wernz appears to doubt that it would be lawful to make use of this right, but he holds that it is both validly and licitly exercised when some actual, forsooth extraordinary necessity of the Church calls for it. He says that this is the more probable opinion, and that the contention of those who reject it is without foundation.[6] "Sine solido fundamento negatur Romano Pontifici jus extendi suam potestatem etiam ad immediatam sui successoris nominationem."

We have here clearly a case of doctors disagreeing. The "probabilior opinio" of one is rejected as antiquated by another; the "communior doctrina" of Sebastianelli is declared by Wernz to lack solid foundation. What are we to think of the two teachings? Both evidently cannot be correct. To which side shall we incline?

Let us examine in the first place the reasons alleged against designation. These may be reduced to three, based respectively on principles of natural law, of divine law, of ecclesiastical law.

The nature of things is appealed to when it is said that designation implies a natural impossibility, inasmuch as the Pope is dead, incapable of jurisdictional acts, at the time when, in order that the act may give to designation its effect, a successor must be

[6] *Jus Decretalium*, vol. ii, p. 651.

placed in the chair of Peter. The see is vacant, the last Pope is dead, the new incumbent must receive the tiara from other hands than those of his predecessor. *Mors omnia solvit.*

This argument, although it appealed strongly to the keen theological sense of Cajetanus, appears to me to prove too much, if it prove anything. The proof of natural testamentary power limps sadly, if we admit its general force. But in the present connection it is inapplicable; it is false from the point of view of logic. Ordinary election, it is true, supposes a dead Pope, but designation supposes a live one, who by an act placed before his death gives to his nominee a *jus ad rem*, to be transformed into a *jus in re* when the see becomes vacant. To say that the Pope must be dead before any effective measures can be taken to place a successor at least *in via ad sedem*, is to assume as already proved the point which is really at issue.

A principle of divine law is claimed to be involved when it is said that designation is something "alienum a mente Christi," or that the supreme power in the Church is not hereditary. It would be more satisfactory if some text were adduced from Holy Writ, or the record of some traditional injunction were brought forth, insisting on election and excluding designation. Until these are forthcoming, we are at liberty to question the validity of appreciations, which may be purely subjective, which may set forth not so much what the Divine Will is, as what a writer thinks it ought to be.

There remains the consideration of the ecclesiastical laws alleged against the right of designation. What is the force of this adverse legislation? We know that the Council of Antioch declared designation null and void; that St. Hilary forbade it; that Pius IV is credited with an ordinance implying that no Pope can determine his successor in office. But neither in these nor in any other document bearing on the matter can there be found anything to show that the prohibition is aught else than the declaration of purely positive ecclesiastical law. The Council of Antioch expressly states this when it says: "servetur autem jus ecclesiasticum id continens, non oportere." And the latest and most correct opinion concerning the assumed enactment of Pius IV seems to be that he never proceeded farther than to express a desire

pointing to the promulgation of the law which is ascribed to him.[7] We find him four years after the date usually given for the framing of this law, publicly expressing his belief that there existed reasons which made it desirable to have such a law enacted; language which is hardly reconcilable with a previously existing law of the same import, enacted by the same Pontiff.

But even if Pius IV had really published a law of this kind, what would we have to conclude? Why, simply that he had done what earlier authorities had done: laid down a rule which had the force—but no more—of an ecclesiastical law. Such a rule would not indeed conflict with divine law, yet at the same time need not necessarily set forth the content of divine law; it might have much to recommend it; but, like all other purely ecclesiastical laws, it might admit of exceptions, if the supreme legislative authority, the Pope, deemed exceptions necessary or really useful to the Church.

Despite Gratian's manifest opposition to the method of designation, the most cursory reading of his dictum on Cause 8, quaest. 1, will show that he did not believe designation to be against the divine law, and that he did regard the legislation prohibiting it merely in the light of an ecclesiastical regulation. It was forbidden, he says, because abuses became common, bishops choosing unworthy successors. But even after the law had been enacted, Gratian does not seem to consider designation impossible. St. Peter, he believes, designated Clement, and he concedes that the Prince of the Apostles might have imitators who would choose successors as distinguished for merit as was Clement.

Nor is there any incongruity in admitting the existence of a law requiring the process of election, or of a law expressly excluding designation, and at the same time affirming the Pope's right to choose his own successor. We are not speaking now of what method is preferable; we regard simply the absolute power resident in him who is the source and cause of what is known as Pontifical law. Christ in no wise determined the manner in which Bishops of Rome are to be chosen: this was left to ecclesiastical authority, to the Pope. Popes have legislated very freely

[7] Wernz, vol. ii, p. 653. Hollweck, *Archiv*, vol. 74. Holder, *Die Designation*. Many, *Revue de l' Institut*, 1901.

on the matter. Some of them have changed radically the law as it stood up to their day. Who will deny the possibility of other changes? And once we admit, as we must, the possibility of change, how shall we exclude designation? Limitation of the Papal power would have to be found either in Scripture or Tradition, and both are silent on the matter.

It has often been asserted that in the general failure of Popes to avail themselves of this power, we have what really amounts to an unbroken tradition in favor of election as a necessary mode of choosing a Pope. Designation has never been practised. This is the contention of Lombardi, and of all those who have preceded him in supporting the "communior opinio." Is this claim based on fact?

There seems to be no doubt that records of certain *Episcopal* designations are found in the histories of Sozomen, Rufinus, Theodoretus and the works of some of the Fathers. St. Alexander, Bishop of Alexandria, designated as his successor St. Athanasius; St. Athanasius designated Peter; Valerius designated St. Augustine. And although the question in these cases is not of *Papal* designation in particular, we are authorized to draw from them the conclusion that these eminent and holy prelates who actually did designate successors in the episcopal office were far from holding the opinion that election is the only means of determining succession, or that designation is contrary to divine or natural law.

The language of Eusebius, too, has a special meaning and a special importance for us when he refers to the early occupants of the chair of St. Peter. Speaking of the appointment of more than one Pope, *e. g.*, Linus, Anacletus, Evaristus, Lucius, he uses terms which imply that papal nomination sufficed without any electoral proceedings. There is simply a transmission of power, a giving of authority, a passing from hand to hand; and not the most remote reference to election. And while in general an argument drawn from the mere language of an historical narrative might be looked at rather askance, it is well to remember that the author whom we are quoting enjoys a reputation for his accurate use of terms, and that, being himself a Bishop, he was not ignorant of the different modes of elevation to the episcopate and

of the precise words proper to each. Moreover, we must allow that when he speaks of those sees in which elections were invariably held, he uses terminology which implies election as necessarily as that to which we referred above excludes it. The presumption therefore is that Eusebius meant precisely what he said.

But have we really no closer and clearer evidence of actual papal designation, which would make the appeal to Eusebius superfluous?

There exists a record of at least one case of designation, that of Vigilius by Boniface II. But this, so far from favoring the practice, rather discountenances it. It raised such a tumult of indignation that Boniface repented of his act and nullified it. He even publicly burned the decree wherein Vigilius' promotion had been published.

Gregory VII, Victor III, Urban II, Pascal II, and certain Popes of the twelfth century are cited by some in favor of the practice of designating their successors;[8] but, in reality, it is difficult to find more than a strong recommendation in even the most preceptive of these so-called designations of the eleventh and twelfth centuries.

Something less ambiguous in the way of precedent is surely desirable. A clear, incontestable instance of designation will not only complete and perfect what has been said in favor of designation; it will silence all contradiction. And, indeed, such an instance has recently come to light. Since 1883 we have been in possession of documents which establish at least one case of designation, apodictically, so as to need no commentary. In that year, Amelli, an official in the Ambrosian library at Milan, discovered some manuscript *Acta* in the chapter library at Novara.[9] Critical examination has pronounced these documents authentic, and they throw a clear light on the hitherto mooted question as to the possibility of designation. They give us a plain and intelligible statement of the manner in which Boniface II was raised to the Pontificate. The historical moment is a solemn one. Pope Felix IV is at the point of death. He publicly, in the presence of the clergy, senate, and patricians of Rome, confers his pallium, the emblem of his sovereign, ecclesiastical power, on the Archdeacon

[8] Lector, *L'Election Papale*, p. 233.

[9] Duchesne, *Liber Pontificalis*, I, p. 282.

Boniface. He declares the Archdeacon his successor. We need not stretch or torture into the desired meaning the words of the record, or exhaust the resources of interpretation, in order to gather this from the document. It states that those who refuse to recognize the validity of the Papal designation, or who fail to render due reverence and obedience to Boniface as Pope, incur excommunication *ipso facto;* and, that none may plead ignorance of this important act, the decree which embodies it is affixed to the doors of all the churches, and sent even to King Athalaric at Ravenna.

We have here an undoubted instance of Papal designation. It is true that, at the time of its enactment, it was not received with universal favor; a very considerable party opposed Boniface, and even went to the length of electing an anti-pope, Dioscorus. But this opposition rather throws into stronger light the validity of the act of Felix. Boniface was not deposed, he still held office, despite the fact that he had never been elected; Dioscorus died but a month after his pretended election, and the recalcitrant senators and clergy were compelled to retract publicly their disobedience to the decree of Pope Felix. There is, then, at least one example, historically vouched for, of a Pope who owed his promotion to the vote of no electoral body, but solely to a designation made by his predecessor. Is it admissible to argue, in the face of such evidence, that no Pope has ever exercised the right of designation? Can we maintain that designation is against natural or divine law? Can we deny that the comprehensive power bestowed by Christ on St. Peter and his successors embraces also the right, absolutely speaking, to determine the person of his successor, and do away with the necessity of an election? The Church has always recognized Boniface as one of her legitimate Popes, and if we deny the validity of designation, we convict her of error in a matter which, to all minds, must appear of the highest importance.

It follows, therefore, that Amelli's discovery should put an end to the controversy so far as it regards the absolute power of the Pope to designate his successor; for it can not be said that there is no clear example of designation in the history of the Church. The old argument that no Pope ever exercised this

prerogative, even when so circumstanced that its exercise would have been a great advantage to the Church, has thus lost its force; and, what is most important, no longer can it be said that designation is contrary to divine or natural law, for Felix's action, being a legislative act, affecting general discipline, cannot be questioned without implying that the Popes have erred in the interpretation of natural and divine law.

Nor does our contention weaken the argument in behalf of election as the best and safest method of providing for the Papal succession. The laws which have repeatedly been sanctioned approving the present method subserve undoubtedly the best interests of the Church, and in ordinary circumstances it would be unwise to depart from the practice. But it is one thing to recognize the propriety or advantages of a legal measure, and another to deny to the supreme legislator the right to depart from it in favor of a different mode. Whatever dangers might attend the general use of designation, it is easy to imagine conditions which would demand its use in exceptional circumstances, and in such an event we might console ourselves with the reflection that in the long line of those who have sat in the chair of St. Peter, a few only were at any time forgetful of the sanctity of their office, so as to sacrifice the general welfare of the Church to selfish interests.

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CARENTIA OVARIORUM NON EST IMPEDIMENTUM MATRIMONIALE DIRIMENS.

ROGATUS a moderatore foliorum horum ut dicam, quid sentiam de cl. Doctoris Casacca O. S. A. dissertatione, cui titulus: "*Carentia Ovariorum est Impedimentum Dirimens Matrimonium*,"[1] cum sim hoc ipso tempore variis insolitis negotiis quasi quodammodo sepultus, rem optato paucioribus absolvam. Opinio in praedicta dissertatione defensa pace tanti viri, improbanda mihi videtur—id quidem ob sequentes rationes:

[1] REVIEW, vol. 27, pag. 609 sq.

1. Imprimis auctor plane confundit re ipsa impotentiam *coeundi* cum impotentia *generandi*. Adest enim discrimen *essentiale*, *substantiale* inter utramque; cl. Doctor autem cum suo cl. duce Antonelli constituit discrimen revera tantum *accidentale*: impotentiam generandi scil. *majorem* in muliere ovariis *penitus orbata*, et *minorem* in *vetula* ovariis *omnino exsiccatis* praedita, quod—nimirum *magis* et *minus*—non mutat speciem.

Jamvero impotentia *coeundi* est impotentia habendi *copulam perfectam*, et est impedimentum matrimonii dirimens. Impotentia *generandi* est impotentia habendi *prolem*, seu *sterilitas*, et nullum prorsus est impedimentum matrimonii, quamvis sit *absoluta*; uti patet in vetula femina e. gr. nonaginta annorum, quae etsi omnino et absolute impotens sit ad generandum propter absolutam atrophiam seu exsiccationem ovariorum, nihilominus secundum omnes theologos, etiam adversarios,[2] licite init matrimonium, dummodo copula perfecta in ea fieri possit, i. e. dummodo habeat *vas debitum*, in quo per penetrationem penis, (s. v. v.), semen virile *recipere* possit, etiamsi nequeat idem semen *retinere*. Impotentia coeundi, ut est impedimentum dirimens, definiri potest cum cl. Eschbach:[3] "Antecedens ac perpetua conjugum inaptitudo ad copulam perfectam, qua scil. vir, naturale debitum femineum vas penetrando, in istud semen verum effundit." Et haec definitio mire convenit cum ea, quam exhibet cl. A. S. Taylor, M.D.:[4] "Impotency is defined to be a (permanent) incapacity for sexual intercourse," et: "Sterility is usually defined to be the inability to procreate, or a want of aptitude in the female for impregnation." . . . "In reference to women, sterility implies that condition in which there is an 'inability to conceive.' This appears to be the true meaning of the term, and the sense in which it is used not only by the best writers, but in common phraseology."[5] Eam-

[2] Qui heic sibi non constant, cum *atrophiam* organorum essentialium doceant esse impotentiam, et tamen vetulis atrophia etiam absoluta ovariorum ex senectute laborantibus matrimonium permittere debeant. *Cf.* REVIEW, l. c., p. 612 § *Hisce praejactis.*

[3] *Disputationes Physiologico-Theologicae*, ed. 2, pag. 190, ubi cl. vir definitionem editionis *primae* jure merito *reformavit.*

[4] *Manual of Medical Jurisprudence*, ed. 12, Americana, cura Clark Bell, apud Lea Bros. & Co. New York et Philadelphia, 1897, p. 652.

[5] *Ibid.*, pag. 661.

dem definitionem quoque habet Irving Browne,[6] scil. "Impotence means physical incapacity; . . . Barrenness constitutes no incapacity, nor does any malformation not preventing copulation,[7] nor any curable disability." Idem docet W. A. Owen[8] ex Schouler, sec. 16, videlicet: "What is such impotency as amounts to a disqualification? Such sexual defects as render copulation impossible; but not such as merely cause a failure of conception."

2. In cl. Doctoris dissertatione nulla invenitur responsio ad valde doctam et gravem opinionis ejus refutationem, quam profert cl. Eschbach tum in variis locis operis praeclarissimi supra allegati, tum in *Analectis Ecclesiasticis*[9] Romae Moderatore Mgr. Cadène editis.

3. Opinio cl. Doctoris contradicit verae doctrinae scholae hucusque traditae. Exemplo sint principes. (a) S. Thomas docet:[10] "Conceditur eis" (scil. senibus) "matrimonium, secundum quod est *in remedium*, quamvis *non* competat eis secundum quod est *in officium naturae*." (b) S. Bonaventura idem tradit:[11] "Ad illud quod objicitur de bono prolis, quod propter hoc institutum est; dicendum, quod non tantum propter hoc, sed etiam in *remedium* et in *signum*; et ideo, *quamvis non sit ibi hoc bonum*,[12] possunt tamen esse alia bona. Si autem homo stetisset, tunc semper fuisset hoc bonum, quia tantum fuisset in *officium*; et hoc bonum non deesset, quia nulla esset sterilitatis poena." (c) Idem profitetur Sanchez:[13] "Imo (Ecclesia) passim admittit senes ad illud ineundum, cum tamen eorum semen *constet* esse sterile. . . . Tandem, quia, etsi matrimonium *frustretur* fine primario, qui est prolis generatio, consequitur tamen finem secundarium,

[6] *On Domestic Relations*, ed. 2, p. 5. Boston, 1890.

[7] Certo requiruntur et vas *debitum* et copula *perfecta*.

[8] Owen's *Law Quizzer*, p. 227, qu. 8. Toledo, Ohio, 1898.

[9] De novo quodam sterilitatis conceptu, vol. x, 1902, p. 85 sq., et reliquae partes deinceps interrupte per totum volumen sequuntur.

[10] *Suppl.* q. 58 art. 1, ad 3.

[11] *Sent.* Lib. 4. Dist. 31, art. 1, qu. 3. Ed. novissima. Quaracchi, 1889. Tom. iv, p. 721.

[12] Scil. prolis.

[13] *De Matr.* L. 7, disp. 92, n. 25. Legesis *totum* numerum.

nempe *satisfacere concupiscentiae, vera copula habita ;* quod *ad ejus valorem sufficit.* Et ita sustinet D. Thomas, receptus passim ab omnibus theologis et Iuris Pontificii professoribus, demptis paucis, ... quos optime impugnat Barbosa.

Nec obstant argumenta pro ipsis adducta. Quia ad *primum*, neganda est consequentia. Nam quando est *impotentia ad copulam*, neuter matrimonii finis reperiri potest. At quando est *sola sterilitas, salvatur* finis secundarius. . . . . Ad *quartum* dic, eum textum [14] aperte loqui, quando *in pactum deducitur* in matrimonii *contractu, ut* proles vitetur. Tunc enim irritum est matrimonium, illud vitiante conditione ipsius bono contraria."

(d) Quibus manifesto consentit S. Alphonsus noster cum Busenbaum declarans: [15] "Valide contrahunt steriles, quia, etsi SINT *impotentes ad generationem*, non tamen ad copulam; atque adeo sunt capaces omnis juris et obligationis matrimonii; et *susceptio prolis, licet sit praecipuus, non tamen est unicus, nec* IMMEDIATUS *finis* matrimonii."

4. Difficultates a cl. Doctore contra sententiam nostram motae facile diluuntur.

(a) Cl. Doctor argumentatur: [16] "Nefas esset adserere matrimonium subsistere posse *tantummodo* propter sedandam concupiscentiam, exclusa etiam possibilitate illius finis primarii."

Resp. Et nihilosecius S. Alphonsus [17] et tot ac tanti cum eo theologi tenent: "Si licet ergo petere TANTUM ad vitandam incontinentiam, licebit etiam *ob eumdem finem matrimonium inire.*" Quinimo non dubitat Divus Alphonsus affirmare matrimonium post lapsum *magis immediate* concessum esse in *remedium*, adeo ut si *desit* in re etiam *possibilitas* prolis, ob *remedium* possit iniri.[18]

(b) Cl. Doctor pergit:[19] "Stat igitur quod physiologi una voce proclamant, scil. ovaria et ovulum esse in feminis, quod testiculi et semen sunt in homine. Et sicut homines castrati utroque testiculo sunt impotentes; ita feminae carentes ovariis."

[14] D. Aug. lib. *de bono conjug.* c. 5.
[15] *Theol. Mor.* l. 6, n. 1095. Res. 2.
[16] REV., l. c., p. 611.
[17] L. 6, n. 882, magis versus finem.
[18] Cf. supra sub 8.
[19] REV., l.c., p. 613.

Resp.—Cum cl. Eschbach :[20] " *Distinguo Antecedens ;* in ordine ad prolificationem, praehabita copula : *Concedo ;* in ordine ad copulam ipsam : *Nego.* Item *distinguo Consequens ;* Excisis testiculis vir arcetur a matrimonio quia jam impotens est ad copulam conjugalem perfectam : *Concedo ;* formaliter quia impotens est ad generationem : *Nego.* . . . Sane, quod sub respectu generationis, h. e. ut novus homo concipiatur, aequali necessitate requirantur ovulum ex ovario decisum atque sperma in testiculis confectum, neminem latet. Ast, si ad carnalem copulam respiciatur, quam maxima datur dissimilitudo. Sine spermate nulla conjugalis copula ; imo citra hanc illud spargere numquam licet. Ovulum autem femineum semel maturum, seclusa copula carnali, ex ovario singulis mensibus secernitur atque, natura duce, in secessum abit. Quare modo adsit, modo desit ovulum, mulier ad conjugale debitum semper prompta est. Haec cum ita sint, argumentum cogens dici omnino nequit."

Neve " mulieres excisas " compares viris eunuchis, quibus, declarante Sixto V, jure naturae denegandum est matrimonium.

Resp., lex illa Sixtina " est odiosa, quam citra cogentes rationes extendere non licet " ad mulieres. Caeterum ob duo Sixtus V declaravit eunuchis negandum esse matrimonium : " Nos attendentes, ait, quod qui *frigidae sunt naturae*, etc. Et insuper considerantes quod ex hujusmodi conjugiis *nulla utilitas provenit*, etc." Porro neutra haec Pontificis consideratio ad mulieres excisas pertinet. Sane quoad primum, una est tum veterum tum recentiorum vox, frigiditatem nil impedimenti in feminis creare, quominus viros admittant atque matres familias fiant. Vae si secus dicendum foret, cum, experientia duce, centenae videantur uxores rei conjugali aegre et absque libidine operam dantes. De altero quod Pontificem movit, supra diximus (id) verissimum esse, nihilque utile, in ordine etiam ad secundarium matrimonii finem, eunuchorum conjugia habere ; imo haec essentialiter esse continuae et numquam satiatae " libidinis incentiva."

Toto coelo autem ab istis conjugium distat inter virum copulae perfectae capacem atque mulierem excisam ; nam utrique conjugum id vertitur in plenam finis alterius consecutionem. Quoad virum, res in plano est ; quoad uxorem etiam ex supra dictis[21]

[20] L. c. p. 198. [21] L. c. p. 159.

facile intelligitur. Summum enim satiativam delectationem femina non ex decisione ovuli accipit, sed ex carnali copula utriusque perfecta. 'Laissons donc, ait laudatus physiologus,[22] une analogie *impossible au point de vue érotique* entre les testicules et les ovaires.'.... Ulterius masculi castrati semifeminae habentur; feminae autem ovariis carentes apparenter a caeteris feminis vix discrepant. Sub respectu demum venerei sensus, 'tout un monde les sépare,' ait Roubaud, scil. mulieres excisas ab eunuchis. Feminis enim voluptatis fons essentialis aut origo ovarium non est, neque ex eo ovuli decisio; sed (s. v. v.), mentula potius quam clitorim vocant, atque interna vaginae mucosa superficies nervis cerebralibus perfusa, ita ut, cum sub erotico influxu haec sic dicto femineo semine inundatur, mulier maximam voluptatem experiatur, quam mox venereorum organorum prolapsus seu quiescentia excipit. Quare ajunt physiologi, 'que l'ovaire émette ou non son ovule, le plaisir est le même;' imo docent se in explorandis meretricum cadaveribus aliquando invenisse nonnisi rudimentaria ovaria habentes." Ita cl. Eschbach utroque loco citato. Ignoscat mihi castus lector illa paullo latius exscripta, nam ad plenam rei intelligentiam ea omnino opportuna et necessaria esse duxi.

(c) Decisiones S. Officii[23] non integrae referuntur. In priore Decisione de die 3 Febr. 1887 S. Officium dixit: "*Re mature diuque perpensa*,[24] matrimonium mulieris, de quo in casu, non esse impediendum."[25] In secunda Decisione vel potius *Decreto* de die 30 Julii 1890 ad dubium, quod jam *die 30 Octobris 1889* propositum fuerat, dicitur: "Num mulier N. N., cui operatione chirurgica ablata sunt duo ovaria et uterus, admitti possit ad matrimonium contrahendum? Et, *re mature perpensa*,[26] Eminentissimi Domini Cardinales una mecum Inquisitores Generales *decreverunt*:[26] "Matrimonium non esse impediendum. Quod dum A. T. pro istius curiae norma significo, etc.[27]"

S. Officium igitur *mature diuque* rem perpendit in utroque dubio, et in solutione dubii secundi usurpatur vox: EE. DD. Cardinales "*decreverunt*." Iterata haec Decisio nescio an sit *mera* declaratio legis generalis, an secus; at vero recte applicatur ab omni-

[22] D. Bossu.
[23] REV., l. c., p. 614.
[24] Haec verba omittuntur a cl. Doctore.
[25] REV., vol. 5, p. 304.
[26] Item haec omittuntur, ut supra.
[27] *Acta S. Sedis*, vol. 27, p. 128.

bus in omnibus ejusmodi casibus. Idem enim Card. D'Annibale, cujus principia de interpretatione ac promulgatione decretorum a cl. Doctore[28] in contrarium allegantur, tunc temporis *Assessoris hujus S. Officii* munere fungens et ipse profecto satis intelligens principia illa hac de re a se statuta, Decisiones illas S. Officii interpretatus est hunc in modum:[29] "Nubere non prohibetur mulier, cui utrumque ovarium *penitus* exsectum fuit (S. U. I. 3 Febr. 1887).[30] Scil. matrimonium ad *mutuum quoque vitae adjutorium pertinet, et ad concupiscentiam coercendam.*" Eodem modo Génicot, Theol. Mor. II, n. 503, 3°, cujus principia interpretationis etiam a cl. Doctore in contrarium afferuntur.[31] Et Lehmkuhl,[32] theologus sane praestantissimus, "licet ipse *contrarium ex sua opinione tenuisset*," tamen post Decisiones illas scribit: "Sed S. Inquisitio videtur hos defectus pro sola sterilitate habere; proin *causae non sunt fideles inquietandi.*"

Deinde, quoad *solemnem publicationem* a cl. Doctore requisitam,[33] eodem argumento praeclari quidam theologi usi sunt de valore Decreti S. Off. de die 23 Iunii 1886 circa absolutionem a casibus papalibus; at frustra. Nam Decreta posteriora argumentum illud funditus everterunt.[34] Qua de causa *Il Monitore*[35] scribere non dubitavit: "Hodie extra dubium positum est pro legibus ecclesiasticis sufficere promulgationem Romae factam in *qualicumque forma* (aut affingendo ad portas solitas, aut publicando in variis dicasteriis seu tribunalibus, aut eas notas faciendo per typos publicos seu *public press*), ut omnes et statim obligent."

Optimi igitur theologi, inter quos ipse Assessor S. Officii tempore Decisionum, Decisiones illas tamquam vim universalem

[28] Rev., l. c., p. 614.

[29] *In eadem Summula Theol. Mor.*, Vol. 3, n. 431, nota 9, ed. 3.

[30] Heic, teste Eschbach (l. c. p. 204) in ed. 4, adduntur haec: seu "quae sterilis effecta est per utriusque ovarii excisi defectum, quia sterilitas non idem est ac impotentia (contrahendi matrimonium)."

[31] Rev., l. c., p. 614.

[32] *Theol. Mor.* II, n. 744. ed. 9.

[33] Rev., l. c., p. 614.

[34] Cfr. Putzer, *Comm.* n. 144.

[35] Vol. 12, p. 172. Ex Italico idiomate. "Oggidì dunque è fuori dubbio che per le leggi ecclesiastiche baste la promulgazione fatta a Roma in qualunque forma (o con affigerle alle solite porte, o con pubblicarle nei varii dicasteri, con farle note per la pubblica stampa) perchè in tutti e subito inducano obbligazione."

habentes acceperunt, et jure merito. Etenim, ubi S. Officium non distinguit, nec nos distinguere debemus. Quare ingenue fateor me omnino consentire confessario illi, qui in casu a cl. Doctore allato[36] noluit "impedire" matrimonium Fabiae cum Fabio, nec me posse approbare decisionem parochi atque episcopi, quia ipsi nullum habuerunt jus impediendi matrimonium Fabiae propter solam carentiam ovariorum.

(d) Prosequitur cl. Doctor:[37] "Sed insuper S. Congregatio multoties declaravit, omnesque theologi unanimiter tenent, matrimonium sub conditione evitandae prolis contractum esse invalidum, ob exclusionem rei contractui conjugali essentialis. Quomodo vero nunc matrimonium, ex S. Congregationis decisione, validum esset, si mulier omnino careat ovariis, quae tam essentialia sunt generationi?"

Responsio est admodum facilis, et jam data est a S. Bonaventura loco supra sub 3 citato.[38] Videlicet ad difficultatem sibi objectam, nempe: "Item, quod bonum *prolis* de necessitate consequatur matrimonium, videtur: 3. Quia dicit Augustinus, et habetur in littera, quod 'qui venena sterilitatis procuraverint non sunt conjuges'; 4. Item *ratione* videtur: quia ad hoc institutum fuit matrimonium, scilicet ad crescendum et multiplicandum: ergo frustra est, si hoc fine caret; sed non potest esse omnino frustra, cum sit Sacramentum: ergo etc.[39] Item, quod bonum *fidei* etc."—Ad hanc difficultatem, inquam, Doctor Seraphicus ita respondet: "Si autem loquamur quantum ad *matrimonii contractum*, qui est per matrimonialem consensum; sic potest esse contractus *absque his duobus bonis*,[40] ut puta in sterilibus et in continentibus, sed tamen (*al.* si tamen) non est *contra haec*. Tunc autem est consensus *contra haec*, quando sub *tali pacto consentitur, ut* prolis sterilitas procuretur, vel uxor alii prostituatur; tunc enim non est consensus vel *pactio matrimonii*, sed *adulterii*, cum directe repugnet institutioni matrimonii. Sed *carentia* sive absentia horum duorum non repugnat; quia *fides* venit ex recto matrimonii usu;

[36] REV., l. c., p. 618.
[37] REV., l. c., p. 615.
[38] Opera omnia, Tom. IV, p. 720.
[39] Nonne hoc est palmare argumentum adversariorum acutissime positum?
[40] Scil. prolis et fidei.

et quia possunt homines abuti ipso, ideo potest deesse fides. Similiter *proles* venit ex fructu ventris; et quia steriles possunt esse vel natura, vel ARTE:[41] *ideo matrimonium hoc bono potest* CARERE."

Id ipsum tradit Doctor Angelicus:[42] "*Alio modo* possunt considerari fides, et proles, secundum quod sunt in suis principiis, ut pro prole accipiatur *intentio prolis*, et pro fide debitum servandi fidem, sine quibus etiam matrimonium esse non potest, quia haec in matrimonio ex ipsa pactione conjugali causantur; ita *quod si aliquid contrarium his exprimeretur in consensu*, qui matrimonium facit, non esset verum matrimonium; et SIC accipiendo fidem, et prolem, constat quod proles est essentialissimum in matrimonio, et secundo fides, et tertio Sacramentum."

Neque aliter Sanchez, cfr. supra sub **3.**

Verbo: *Conditio evitandae* prolis consensui matrimoniali, tamquam *vera conditio consensus* huius, annexa[43] utique vitiat ipsam *essentiam* contractus matrimonialis, scil. jus (saltem juridicum seu radicale[44]—mutuum, exclusivum, perpetuum) exigendi debitum cum pari obligatione reddendi, seu *jus* ad *perfectam copulam*, ac propterea invalidat matrimonium;—at sola *carentia* ovariorum etiam *arte* facta, utpote *mera sterilitas*, concomitans contractum matrimonialem nunquam, ratione impedimenti impotentiae tantum habita, matrimonium invalidat, dummodo adsit *vas debitum* in muliere, et *potentia coeundi* in utroque.

(e) Decisiones S. Congregationis Concilii a cl. Doctore allatae[45] nullo modo contradicunt Decisionibus S. Officii nec sententiae nostrae; sed eas contra confirmant. Nam in istis mulieribus, quae a S. Congregatione Concilii impotentes declaratae sunt, *semper defuit vas debitum, ergo potentia coeundi!*

(f) Quod ex cl. Bucceroni, S. J., allegatur[46] de privata declaratione Secretarii S. Officii, nequit evertere publicas S. Officii Decisi-

[41] Nota hoc verbum vigilans. Hercule sane S. Doctor animo suo acutissimo chirurgicas aetatis nostrae operationes multo ante praesensisse videtur!

[42] *Suppl.* qu 49. art. 3.

[43] Seu *in pactum deducta.*

[44] Gasparri, *De Matr.*, n. 858 et n. 1057.

[45] REV., l. c., p. 615.

[46] REV., l. c., p. 616.

ones, quas Card. D'Annibale, ipso istarum Decisionum tempore *Assessor* ejusdem S. Officii, prorsus aliter interpretatus est. Huc facere videtur, quod cl. Vermeersch, S.J., ad idem in alia re argumentum *Ephemeridum Liturg.*,—scil. "Ex iis quae accepimus in S. Rituum et Indicis Secretaria confirmamur in nostra sententia,"—scripsit:[47] "Non putamus ab ipsis *Ephem. Liturg.* illud serio urgeri. Num velint enim,—quando non pauci jam dolent, nimis hodie a pluribus, neglectis principiis, ex *sola* jurisprudentia repeti quaestionum solutiones,—quasi novum introducere fontem juris: privatam nempe interrogationem et vivae vocis oraculum alicujus officialis secretariae? Quam parum haec ratio prodesset scientiae canonicae, id sapientis Lectoris arbitrio permittimus. Nec eamdem gratam vel acceptam esse futuram ipsis spectatissimis viris qui in S. R. Congregationibus occupantur: pluris facimus horum sapientiam et doctrinam, quam ut de hoc dubitemus."

(g) Quod plures apprime egregii Professores Romani[48] opinionem cl. Doctoris docent, eam minime reddit veram. Nonne plures celeberrimi Theologi Romani olim mordicus defendebant craniotomiam et embryotomiam esse licitam; et nihilominus hanc ipsam opinionem S. Sedes postea penitus reprobavit atque damnavit?

(h) Denique cl. Doctor adjungit:[49] "Quid tandem dicendum de moralitate oppositae sententiae? Neminem latet ipsam onanismi crimini viam latissimam aperire," et hujus rei rationem assignat quia sacramentum matrimonii "non amplius esset, nisi concupiscentiarum illecebra."

Resp. 1. Hoc argumentum nimium probat, ergo nihil probat. Nam ex *abusu* alicujus rei non potest probari ejusdem rei immoralitas. Si propter abusum alicujus rei damnanda esset ipsa res ejusve usus, actum esset profecto de sacrosanctis Sacramentis, saluberrimis illis salutis nostrae remediis, quibus tot homines ad perniciem suam aeternam abutuntur! Actum esset de Sacramento potissimum Matrimonii, quo tot homines ad nefandum onanismi scelus aliaque horribilia patranda abutuntur! Suntne propterea rejicienda sacrosancta Sacramenta, ac praecipue etiam

[47] *De Prohib. et Censura Librorum*, ed 2, 1898, p. 72, nota 4.
[48] REV., l. c., p. 616. [49] REV., l. c., p. 617.

Sacramentum Matrimonii, ab iisque homines arcendi? Quod omen avertat Deus noster benignissimus!

2. Argumentum laborat falso supposito: supponit enim copulam cum *muliere ovariis penitus orbata* esse de se seu objective onanisticam. Quod suppositum ita *Distinguo:* copula cum muliere *ovariis penitus orbata* est onanistica: *opere, Nego;* quia copula ipsa de se est *perfecta;* est onanistica: *mente*, si revera copulam illam exercentes generationem impedire *intenderent: Concedo;* secus: *Nego.* Estne copula cum vetula muliere, cujus *ovaria* sunt *penitus exsiccata*,—id quod in casu *concreto singulari* Titiae vel Camillae tandem aliquando certo determinari potest,—de se onanistica? Minime sane ex constanti praxi Ecclesiae, fatentibus etiam adversariis. Ergo logice *a pari* nec copula cum muliere, cujus ovaria sunt *penitus exstirpata*, de se onanistica esse potest.

3. Duce cl. Lehmkuhl,[50] data saltem occasione, nupturientes ac conjuges imprimis ultro verbis castissimis moneamus, doceamus, metu judicii divini perterreamus oportet omnino, clamantes: "Velle excisionem istam ad id solum, ut inducatur sterilitas atque commercii sexualis facultas sine timore prolis concipiendae, gravissimum est peccatum."—At, post factum, ne judicemus ex *affectibus cordis*, sed ex *principiis mentis.* Poteritne severitas immodica, nulla justa ratione fundata, coercere homines illos flagitiosissimos ac perditissimos, qui, non tam intra, quam extra castra nostra versantes, nullum libidinis suae explendae adjumentum perhorrescunt? Sententia igitur nostra nec minima laborat immoralitate, nec viam aperit onanismo, sed contra plane convenit principiis moralitatis ac doctrinae et praxi Ecclesiae hucusque traditae.

Quare, praecunte cl. Eschbach aliisque, dicendum est: Melior est conditio possidentis, scil. libertatis mulieris ovariis orbatae,[51] quae ante hanc orbationem facultatem ineundi matrimonium habuisse supponitur, quam possidere pergit, donec contrarium certo probetur; atque quoniam non debet quisquam vel magis Catholicus esse vel plus sapere quam Roma ipsa, omnium magistra, auctoribus tot theologis concludendum est cum S. Officio:

[50] *Theol. Mor.* Vol. II, n. 856.

[51] Quarum non paucae saepe *insciae invitaeve* ovariis uteroque spoliantur, quod sacerdotes sacro ministerio operam dantes possunt attestari.

Mulieris, cui operatione chirurgica ablata sunt vel duo ovaria vel duo ovaria et uterus, matrimonium non esse impediendum; verumtamen simul proclamandum est cum S. Congregatione Concilii: Mulieris omnis, cui *deest vas debitum*, matrimonium propter impotentiam coeundi esse invalidum.

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Ilchestria, in Md.

LEO XIII AND STUDENTS OF THE BIBLE.

SOME months ago the Sovereign Pontiff authorized the organization of a Council or Commission which was to act as a central tribunal for the guidance and promotion of Biblical Studies. By a recent Apostolic Letter,[1] this Commission received not only its official sanction, but the policy and future method of action to be adopted by its members in the exposition of the Sacred Scriptures, were clearly indicated. The object which is to be kept in view is threefold: Assiduous and thorough study of the Sacred Text; well reasoned interpretation by which its meaning becomes clear in the light of well defined faith; and temperate but all-sided defence of the inspired character of the Bible against the destructive criticism of modern science and scepticism.

STUDY OF THE BIBLE.

The purpose for which the Bible is read and studied is in the main twofold. It serves us in the first place for edification, by showing us God's ways with men in the past, and it contains a record of His precepts and also of His promises. But it serves likewise as a defence of our faith. It is a text-book to which we may ever refer in order to keep hold of and verify principles and truths taught us by our living teacher, the Church, through whom the Holy Ghost was to speak to men everywhere to the end of time.

The right understanding of the Sacred Writings helps, of course, very much both to the cultivation of a proper spirit of

[1] See Text of the Letter under ANALECTA in this number.

devotion, and to a just appreciation of our holy faith by which we come to know God, to see ourselves in Him as in a clear mirror, and to learn to transform ourselves by correction of our defects and by imitation of His likeness so far as our created nature permits. But to fully understand the Bible, both as to its intended general purpose which makes it serve us as a manual of devout reading, and again as to the meaning of its different passages and words, it is requisite to have a certain amount of human learning. The many books of which the Bible is composed were written in a language to which most of us are now strangers; they were written for people in remote times and places, very different from us in habits of thought and feeling, and in the expression of both. For although we may all learn certain truths from the inspired pages, they were not all intended for us; they were addressed in the first place to Israelites in the desert, and then to Hebrews living in community in Palestine, and then to Jews dispersed or in captivity throughout Asia and Africa, and then to the Jewish converts who followed the Messias, and finally to the Greek and Roman Christians of the Apostolic age. And as we learn truth from the study of ancient history, and principles from the wise maxims of the old philosophers, so we learn, with much greater force, truth and principles from the instructions given to the Jews and the Greeks and Romans by careful reading and study of things which tell of God's dealings with them. I say we learn truth and principles from the sacred books with much greater force, because we have the assurance that these instructions, covering different ages, and made in the first place for different nations, all proceeded from God; that they were inspired by special command. Hence we reverence them, even when we do not understand their complete meaning and full force, just as posterity reverences the written instructions of some great ancestor, though the document is in a language which men of the day can hardly decipher or understand. They know it is the handwriting of their sire, and if they can read it only partially they will reverence it and obey the injunctions which they understand it contains, if these be interpreted to them by the proper authority. This authority, our parent, our teacher interpreting to us the document which contains the story of our heavenly Father's dealings with the chil-

dren of men in times past, which records certain injunctions and teachings of wisdom that are of everlasting application to all generations, is Holy Church.

Now the Church, whilst she has a divine commission to instruct us, and to this end is guided by the Divine Spirit acting as the living principle of her communion, being on earth, for men, and composed of men representing the divine authority, must use the instruments of human knowledge as the means of communicating the inspired truth. She must equip her leaders and instructors with the apparatus to demonstrate the truth, and with the weapons to defend its heritage. This she does by such means as the present tribunal or Commission composed of scholars who are to devote themselves to the exposition of the Sacred Scriptures with unity of purpose, and systematically, and with just attention to the demands of truth both in the supernatural and the natural order.

It might be asked why such a Commission representing the Church as teacher of the Sacred Text had not been appointed long ago, since we have had the Bible for centuries. I might answer: for a reason analagous to that which prevented the United States from organizing a Naval Academy before the year 1845, though there was abundance of sea on which enemies could have attacked it during seventy previous years of its commonwealth. So far as any necessity existed in the economy of the Church's life as a teacher of religious truth and a guardian of morality, she did have a tribunal which both guided and decided in matters of Scriptural authority and interpretation. Her whole liturgy, her text-books of theology and controversy, are evidence of this fact, which is often lost sight of because it does not assume the position of "the Bible alone" as the source of Catholic faith and obedience. The charges of Bible-Christianism against the Church are based on the implied exclusion of the Church's living representation of God's will and wisdom. They are like the charges of the deserter from his army when he appeals against the action of a court and jury to the freedom of opinion guaranteed in the written constitution of the land. Indeed our written Constitution, the Bible, was being constantly, interpreted in the Catholic Church, because its spirit, its maxims and expressions pervaded all her teaching, and its history was made the very basis of her

instructive liturgy from the beginning of the year to the end. This Protestants do not, as a rule, understand; they argue that we do not reverence the written law of God because, living in the intimate spirit of its perpetual traditions, we do not quote a text as motive for each deed we perform. Every priest and religious, bound to recite the canonical office, all over the earth where the Church holds a foot, reads, and pledges himself by the oath of ordination to read, day by day, such portion of the Sacred Scriptures as will complete, within the circle of the year's daily round, the entire Bible. The parts are carefully portioned out to him by a "directory," so that he has no choice; and in order that he might be induced to reflect on what he reads each day, and draw some practical lesson from it for his own guidance, there is added a chapter (nocturn) of interpretations and prayers which also he is bound to go over—not with a mere glance of the eye, but pronouncing every word with his lips, lest he begin ever to think lightly of that duty. Strangers often wonder when they see a priest in railway car or landing, walking or waiting, with the little, well-thumbed book in his hand, all absorbed in the volume, yet without the sanctimonious air of one that prays for the public gaze. What is this genial and matter-of-fact priest doing? He is reading a fixed portion of the Bible, for he must complete it, whatever other duty encompass him at home or abroad before the midnight watch is past. And what he reads in that little book of the Roman Breviary, is incorporated in the liturgy of the Mass, and the faithful can follow it; it is the meaning of the Calendar with its rubrics and colors, as the readers of THE DOLPHIN find it in each issue and in their missals.

Thus the study of the Sacred Scriptures has been fostered, silently, constantly, thoroughly in the daily service of the Church, and like a tree that grows without noise, without perceptible motion, this study has produced the fruit of reverence for the Sacred Text, among Catholics, whilst it is now quickly disappearing among those who at one time claimed the "Bible alone" as the source of revealed religion.

CRITICISM.

Within the last century there has, indeed, arisen outside of the

Catholic Church a new spirit, a temper of criticism with regard to the Bible. This spirit, with its constant carpings invited by free investigation, threatens to deprive the organic growth of Revelation, with its oral and written tradition, of its vital protection.

Protestantism, in leaving it to the individual judgment to determine the sense of what God teaches in the Bible, has opened the gate to a destructive criticism which looks upon the Sacred Books as it looks upon profane history, adjudging many of its statements to be myth and fable, and altogether misleading. And because this attack upon the Sacred Books is backed by a show of erudition which influences the mind of the less learned, the Church, as guardian of her faithful children, seeks to prevent the spread of this attractive and infectious criticism within the fold. Therefore she now finds it necessary to take up arms which she never used before, in order that she might defend the divine origin and the authorized interpretation of the Sacred Volume.

The arms of defence forced into the hands of the Church by the new method of her enemies' attacks are—the critical examination of the human or historic evidence which vouches for or at least indicates the true origin of the Sacred Books. The proof that they are genuine contributes of course in its measure to their right understanding, because it furnishes the historic background and the light of contemporary intelligence, feeling, and habits which interpret the forms of expression used by God's messengers to instruct the children of men in their duty toward Him. This is in fact the province of what is called the "Higher Criticism" as distinguished from the "Lower Criticism," which, leaving out of account or taking for granted the origin and authenticity of the Sacred Books, only deals with the interpretation of the words.

Now it is very plain that this examination or criticism is what the Holy Father urges Bible students to take up earnestly. Hence it is untrue what has been said by some too zealous Catholic writers, namely, that the Sovereign Pontiff, in his Encyclical of 1893 on the Study of the Sacred Scriptures, condemned the aims of the Higher Criticism. What Leo censures in that document is not the investigations of the Higher Criticism, but rather that particular method of certain leaders in its school who rely for their conclusions mainly if not entirely upon *internal* evidence, which means

the evidence of their own private judgment. This indeed is still the Pontiff's attitude, as is plain from the second point emphasized in the more recent Apostolic Letter, namely, that, while we are to pursue fearless inquiry and open facing of facts which seem to make against the authentic value of the Sacred Scriptures, we are nevertheless to be cautious so as not to accept the conclusions of every prominent scholar in Biblical research.

A Wise Caution.

How very justified this warning is may easily be demonstrated from the results to which the great leaders of the Higher Criticism have brought their followers.

Let us only remember what the representatives of Biblical criticism outside the Church have done during the century just past, and to what conclusion their judgments regarding the historical authenticity of the Bible has brought their followers. I take the three principal leaders of the rationalist school as sign posts of the most learned and acute criticism looked up to by every Biblical scholar of Europe—Semler, a little over a hundred years ago; Bauer, fifty years ago; and Harnack, most prominent in our day. Professor Semler, with all the apparatus of historical and linguistic learning, examines the list of books in our Bible, and then concludes that certain books—*ex. gr.*, The Apocalypse—were surely not written in the apostolic age.[2] Professor Bauer, with increased apparatus and greater historical and linguistic learning, examines the list of books in our Bible, and he concludes that only five books are undoubtedly *genuine;* but among the five is the Apocalypse, which his learned predecessor upon the same intrinsic evidence pronounces *spurious.* Now comes Professor Harnack, of the Berlin University, and after careful examination of the New Testament writings concludes with the same oracular assurance that characterized the utterances of his two immortalized predecessors, Semler and Bauer, who contradicted each other, by asserting that both were wrong. Who then is right? The Catholic tradition which gives us the only true source of primitive Christianity. So says Professor Harnack when he states that the chronological framework in which tradition has arranged the books of the

[2] *Cf.* Abhandlung v. d. freien Untersuchung d. Canons.

Bible "compels the historian to disregard all hypotheses as to the historical sequence of things which deny this framework." Thus the Apocalypse must be admitted to be safe in the eyes of Professor Harnack's followers.

I have cited merely at random an instance of marked differences among the representatives of the so-called Higher Criticism which any Catholic student of Sacred Scripture is likely to meet with among a thousand of similar character. Yet the fact that the men who utter these views enjoy national reputation for special erudition gives to all their statements an air of authority which commands respect and open assent among the host of those who cannot afford to be original. Intellectual servility is as common as the social servility which dotes on the pretensions of the higher class. Nor is this tendency confined to non-Catholics, with whom freedom of opinion and private judgment in religious matters have the force of a principle, so that their inconsistency does not convict them at any time of actual wrong.

Catholic teachers and writers have now and then been beguiled by the sound of great names and were thus led to exaggerate the force of adverse criticism. Probably the late Professor Mivart's case, which we cite without odium, is one of the best known instances of a tendency more dangerous in its results than is commonly admitted. To take seriously an objection which is nothing more than a cleverly constructed hypothesis is to weaken one's argument to the very root; for it not only admits as true what is not so, but it implies that we have no argument which excludes such hypothesis. With the uneducated, who can only judge of the plausibility of such argumentation, it becomes the seed of doubt and scepticism, and it destroys in them eventually all faith in revelation. It is rarely acknowledged by men of scientific attainment that an extreme conservatism in matters of religion is a far safer disposition for the attainment of ultimate truth about God than the venturesome spirit of criticism. The mind that fears, even excessively, to err from an established path in the matter of truths that lie beyond its ordinary reach is more disposed, as a rule, to be guided by authority, when the latter happens to interpret revelation; whilst the scientific mind in the progress of its investigation acquires that confidence in its own

strength which is apt to overleap itself and fall from the safe path of faith. Hence the Pontiff wisely warns the student not to follow every cry and sign of novelty in Scriptural investigation. At the same time he urges him, under the initiative and guidance furnished by the Council on Scripture Studies, to make himself thoroughly familiar with the position of the critics who oppose the Bible, and to equip himself with all the apparatus of learning to be obtained in the storehouse of history, philology, physical and mental science so far as these studies serve to interpret and defend the sacred word of God.

This let us endeavor to do. THE ECCLESIASTICAL REVIEW and THE DOLPHIN will faithfully coöperate with the design of the Sovereign Pontiff and the Biblical Commission as a continuous organ of these Sacred Studies for the clergy and of an earnest and thoughtful laity.

THE EDITOR.

Analecta.

Sanctissimi Domini Nostri Leonis Divina Providentia Papae XIII

LITTERAE APOSTOLICAE

Quibus Consilium Instituitur Studiis Sacrae Scripturae Provehendis

LEO PP. XIII.

Ad perpetuam rei Memoriam.

Vigilantiae studiique memores, quo *depositum fidei* Nos quidem longe ante alios sartum tectumque praestare pro officio debemus, litteras encyclicas *Providentissimus Deus* anno MDCCCXCIII dedimus quibus complura de studiis Scripturae sacrae data opera complectebamur. Postulabat enim excellens rei magnitudo atque utilitas, ut istarum disciplinarum rationibus optime, quoad esset in potestate Nostra, consuleremus, praesertim cum horum temporum eruditio progrediens quaestionibus quotidie novis, aliquandoque etiam temerariis, aditum ianuamque patefaciat. Itaque universitatem catholicorum, maxime qui sacri essent ordinis, commonefecimus quae cuiusque pro facultate sua partes

in hac caussa forent; accurateque persequuti sumus qua ratione et via haec ipsa studia provehi congruenter temporibus oporteret. Neque in irritum huiusmodi documenta Nostra cecidere. Iucunda memoratu sunt quae subinde sacrorum Antistites aliique praestantes doctrina viri magno numero obsequii sui testimonia deferre ad Nos maturaverint; cum et earum rerum, quas perscripseramus, opportunitatem gravitatemque efferrent, et diligenter se mandata effecturos confirmarent. Nec minus grate ea recordamur, quae in hoc genere catholici homines re deinceps praestitere, excitata passim horum studiorum alacritate.—Verumtamen insidere vel potius ingravescere caussas videmus easdem, quamobrem eas Nos Litteras dandas censuimus. Necesse est igitur illa ipsa iam impensius urgeri praescripta: id quod Venerabilium Fratrum Episcoporum diligentiae etiam atque etiam volumus commendatum.

Sed quo facilius uberiusque res e sententia eveniat, novum quoddam auctoritatis Nostrae subsidium nunc addere decrevimus. Etenim cum divinos hodie explicare tuerique Libros, ut oportet, in tanta scientiae varietate tamque multiplici errorum forma, maius quiddam sit, quam ut id catholici interpretes recte efficere usquequaque possint singuli, expedit communia ipsorum adiuvari studia ac temperari auspicio ductuque Sedis Apostolicae. Id autem commode videmur posse consequi si, quo providentiae genere in aliis promovendis disciplinis usi sumus, eodem in hac, de qua sermo nunc est, utamur. His de caussis placet, certum quoddam Consilium sive, uti loquuntur, *Commissionem* gravium virorum institui: qui eam sibi habeant provinciam, omni ope curare et efficere, ut divina eloquia exquisitiorem illam, quam tempora postulant, tractationem passim apud nostros inveniant, et incolumia sint non modo a quovis errorum afflatu, sed etiam ab omni opinionum temeritate. Huius Consilii praecipuam sedem esse addecet Romae, sub ipsis oculis Pontificis maximi: ut quae Urbs magistra et custos est christianae sapientiae, ex eadem in universum christianae reipublicae corpus sana et incorrupta huius quoque tam necessariae doctrinae praeceptio influat. Viri autem ex quibus id Consilium coalescet, ut suo muneri, gravi in primis et honestissimo, cumulate satisfaciant, haec proprie habebunt suae navitati proposita.

Primum omnium probe perspecto qui sint in his disciplinis hodie ingeniorum cursus, nihil ducant instituto suo alienum, quod recentiorum industria repererit novi: quin imo excubent animo, si quid dies afferat utile in exegesim Biblicam, ut id sine mora assumant communemque in usum scribendo convertant. Quamobrem ii multum operae in excolenda philologia doctrinisque finitimis, earumque persequendis progressionibus collocent. Cum enim inde fere consueverit Scripturarum oppugnatio existere, inde etiam nobis quaerenda sunt arma, ne veritatis impar sit cum errore concertatio.—Similiter danda est opera, ut minori in pretio ne sit apud nos, quam apud externos, linguarum veterum orientalium scientia, aut codicum maxime primigeniorum peritia: magna enim in his studiis est utriusque opportunitas facultatis.

Deinde quod spectat ad Scripturarum auctoritatem integre asserendam, in eo quidem acrem curam diligentiamque adhibeant. Idque praesertim laborandum ipsis est, ut nequando inter catholicos invalescat illa sentiendi agendique ratio, sane non probanda, qua scilicet plus nimio tribuitur heterodoxorum sententiis perinde quasi germana Scripturae intelligentia ab externae eruditionis apparatu sit in primis quaerenda. Neque enim cuiquam catholico illa possunt esse dubia, quae fusius alias Ipsi revocavimus: Deum non privato doctorum iudicio permisisse Scripturas, sed magisterio Ecclesiae interpretandas tradidisse: "in rebus fidei et morum, ad aedificationem doctrinae christianae pertinentium, eum pro vero sensu sacrae Scripturae habendum esse, quem tenuit ac tenet sancta Mater Ecclesia, cuius est iudicare de vero sensu et interpretatione Scripturarum sanctarum; atque ideo nemini licere contra hunc sensum aut etiam contra unanimem consensum Patrum ipsam Scripturam sacram interpretari";[1] eam esse divinorum naturam Librorum, ut ad religiosam illam, qua involvuntur, obscuritatem illustrandam subinde non valeant hermeneuticae leges, verum dux et magistra divinitus data opus sit, Ecclesia; demum legitimum divinae Scripturae sensum extra Ecclesiam neutiquam reperiri, neque ab eis tradi posse qui magisterium ipsius auctoritatemque repudiaverint.—Ergo viris qui de Consilio fuerint, curandum sedulo, ut horum diligentior quotidie sit custodia principiorum: adducanturque persuadendo, si qui forte heterodoxos admirantur

[1] Conc. Vatic. sess. III, cap. II, *De revel.*

praeter modum, ut magistram studiosius observent audiantque Ecclesiam. Quamquam usu quidem venit catholico interpreti, ut aliquid ex alienis auctoribus, maxime in re critica, capiat adiumenti: sed cautione opus ac delectu est. Artis criticae disciplinam, quippe percipiendae penitus hagiographorum sententiae, perutilem, Nobis vehementer probantibus, nostri excolant. Hanc ipsam facultatem, adhibita loco ope heterodoxorum, Nobis non repugnantibus iidem exacuant. Videant tamen ne ex hac consuetudine intemperantiam iudicii imbibant: siquidem in hanc saepe recidit artificium illud criticae, ut aiunt, sublimioris; cuius periculosam temeritatem plus semel Ipsi denuntiavimus.

Tertio loco, in eam studiorum horum partem quae proprie est de exponendis Scripturis, cum latissime fidelium utilitati pateat, singulares quasdam curas Consilium insumat. Ac de iis quidem testimoniis, quorum sensus aut per sacros auctores aut per Ecclesiam authentice declaratus sit, vix attinet dicere, convincendum esse, eam interpretationem solam ad sanae hermeneuticae leges posse probari. Sunt autem non pauca, de quibus cum nulla extiterit adhuc certa et definita expositio Ecclesiae, liceat privatis doctoribus eam, quam quisque probarit, sequi tuerique sententiam: quibus tamen in locis cognitum est analogiam fidei catholicamque doctrinam servari tamquam normam oportere. Iamvero in hoc genere magnopere providendum est, ut ne acrior disputandi contentio transgrediatur mutuae caritatis terminos; neve inter disputandum ipsae revelatae veritates divinaeque traditiones vocari in disceptationem videantur. Nisi enim salva consensione animorum collocatisque in tuto principiis, non licebit ex variis multorum studiis magnos expectare huius disciplinae progressus. — Quare hoc etiam in mandatis Consilio sit, praecipuas inter doctores catholicos rite et pro dignitate moderari quaestiones; ad easque finiendas qua lumen iudicii sui, qua pondus auctoritatis afferre. Atque hinc illud etiam consequetur commodi, ut maturitas offeratur Apostolicae Sedi declarandi quid a catholicis inviolate tenendum, quid investigationi altiori reservandum, quid singulorum iudicio relinquendum sit.

Quod igitur christianae veritati conservandae bene vertat, studiis Scripturae sanctae promovendis ad eas leges, quae supra statutae sunt, Consilium sive *Commissionem* in hac alma Urbe per

has litteras instituimus. Id autem Consilium constare volumus ex aliquot S. R. E. Cardinalibus auctoritate Nostra deligendis: iisque in communionem studiorum laborumque mens est adiungere cum Consultorum officio ac nomine, ut in sacris urbanis Consiliis mos est, claros nonnullos, alios ex alia gente, viros quorum a doctrina sacra, praesertim biblica, sit commendatio. Consilii autem erit et statis conventibus habendis, et scriptis vel in dies certos vel pro re data vulgandis, et si rogatum sententiam fuerit, respondendo consulentibus, denique omnibus modis, horum studiorum, quae dicta sunt, tuitioni et incremento prodesse. Quaecumque vero res consultae communiter fuerint, de iis rebus referri ad Summum Pontificem volumus; per illum autem ex Consultoribus referri, cui Pontifex ut sit ab actis Consilii mandaverit. — Atque ut communibus iuvandis laboribus supellex opportuna suppetat, iam nunc certam Bibliothecae Nostrae Vaticanae ei rei addicimus partem; ibique digerendam mox curabimus codicum voluminumque de re Biblica collectam ex omni aetate copiam, quae Consilii viris in promptu sit. In quorum instructum ornatumque praesidiorum valde optandum est locupletiore catholici Nobis suppetias veniant vel utilibus mittendis libris; atque ita peropportuno genere officii Deo, Scripturarum Auctori, itemque Ecclesiae navare operam velint.

Ceterum confidimus fore, ut his coeptis Nostris, utpote quae christianae fidei incolumitatem sempiternamque animarum salutem recta spectent, divina benignitas abunde faveat; eiusque munere, Apostolicae Sedis in hac re praescriptionibus catholici, qui sacris Litteris sunt dediti, cum absoluto numeris omnibus obsequio respondeant.

Quae vero in hac caussa statuere ac decernere visum est, ea omnia et singula uti statuta et decreta sunt, ita rata et firma esse ac manere volumus et iubemus; contrariis non obstantibus quibuscumque.

Datum Romae apud S. Petrum sub anulo Piscatoris die XXX Octobris anno MDCCCCII, Pontificatus Nostri vicesimo quinto.

A. CARD. MACCHI.

Conferences.

THE ECCLESIASTICAL REVIEW proposes to answer in this department questions of general (not merely local or personal) interest to the Clergy. Questions suitable for publication, when addressed to the editor, receive attention in due turn, but in no case do we pledge ourselves to reply to all queries, either in print or by letter.

OUR ANALECTA.

Apostolic Letter of Pope Leo XIII on the study of the Sacred Scripture, and the duties of the recently-appointed Pontifical Commission on Bible Study.

"CATHOLIC" AND "ROMAN CATHOLIC."

To the Editor of THE ECCLESIASTICAL REVIEW:

A critic of the article which appeared under the above title in a former number of the REVIEW[1] writes that it is confusing. Will he allow me to say in reply that the criticism is certainly *confused*. Indeed it gives rise to a suspicion that the critic did not condescend to read with much care what he somewhat contemptuously dismisses in his page and a half of animadversion. I say this because, as a matter of fact, he comes to the same practical conclusions as I do. I will mention points of agreement first, before going on to the objections which he raises. To begin with, he, like myself, holds the term *Catholic Church* to be a sufficient and, usually, the preferable way of designating the Church of Christ. At the same time he, like myself, holds that there are occasions when the use of the word *Roman* is not only appropriate, but obligatory. Secondly, he quotes with approval one of the speakers at the Council who calls the designation of the Church "an enumeration of the *notes* of the Church." A good part of my article was given up to developing this idea, and particularly to showing that the word *Romana* does implicitly express the note of unity, by desig-

[1] *Cf.* THE ECCLESIASTICAL REVIEW, Sept., pp. 241–255; Nov., pp. 548-550.

nating its very root-principle. Thirdly, my critic contends that the Council did not adopt the term *Romana* as modifying the name of the Church. So do I. The word *Roman* does not modify the name (nor the "description") of the Church.[2] Lastly, my critic says there is no development of "Catholic" into "Roman Catholic," but that "if there is any development, it is that of the *unam* of Nice into *Romanam* of the Vatican." Here, too, if my critic wishes only to reject a mere verbal development, I am with him. I contended for the development, not of one *word* into another, but of a fuller and more complete designation of the Church from a designation less full, though containing in the idea which it represented all that has since been brought out more fully. Development is concerned with ideas and truths, not mere words. As to the development of the *unam* of Nice into the *Romanam* of the Vatican, I have already suggested it in showing that the word *Romana* does express the note of unity by designating its living principle. On the question of this development Father Perrone[3] writes as follows: "Jure quoad hanc denominationem *ecclesiae romanae* qua designatur *ecclesia catholica*, aptare debemus responsionem quam dedit S. Pacianus in ep. 1. ad Sympronianum, cum sibi ex persona Novatianorum objecisset: 'sed sub apostolis, inquies, nemo catholicus vocabatur: esto, respondet, sic fuerit, vel illud indulge. Cum post apostolos haereses extitissent: diversisque nominibus columbam Dei atque reginam lacerare per partes et scindere niterentur: nonne cognomen suum plebs apostolica postulabat, quo incorrupti populi distingueret unitatem, nec intemeratam Dei virginem error aliquorum per membra laceraret? *Nonne appellatione propria decuit caput principale signare?*' (Italics mine.) *Igitur ad eum modum quo prius ecclesia, quae christiana dicebatur, ob varietatem haereticorum et schismaticorum qui sibi hanc appellationem communem fecerunt, debuit vocari 'catholica' ut a sectis distingueretur, sic cum postea iidem haeretici et schismatici factiones suas coeperint vocari ecclesiam 'orthodoxam' et 'catholicam,' debuit praeterea denominari romana ab ejus capite romano Pontifice, ut internosceretur a factionibus illud sibi nomen usurpantibus.*"[3] What is this else than the development I have

[2] See the concluding words of the article in question, p. 255, beginning "Roman takes nothing away from 'Catholic,'" etc.

[3] *Theol. Dogm. De Loc. Theol.*, P. 1, Cap. III, §284, nota 2. Ed. Romae 1841.

indicated on p. 253 in these words: "Thus, just as the name 'Catholic' originated in the universal and early recognition of an essential note of the only religion which possessed true *Christianity*, so, too, the name 'Roman' has been adopted by the Church herself and recognized by the world at large as the proper appellation of the only religion which has any claim to true Catholicism." Here is a true development, not of mere words, but of the orginal idea of the Church as it was in the Mind of Her Divine Founder,—the Church which, under whatever name she went, was always Catholic and always Roman because of her essential notes of Catholicity and Unity—a Unity flowing from its centre, the Roman See. Despite his animadversions about development, I think I may say that my critic will agree with me so far. What then does he complain of? Apparently that I speak of the term *Roman* as part of the official name of the Church, and that I defend the use, in certain circumstances only, of the English expression "Roman Catholic." He wants me, instead of writing *name*, to write *description*. He prefers to say that "there is no question of the distinctive *name* of the Church," quoting one of the speakers at the Council. Another speaker, the Bishop of Brixen, who, as Relator of the *Deputatio de Fide*, bore a prominent part in the discussion upon the designation of the Church, thought otherwise. He spoke of the words "Romana Catholica Ecclesia" as the *proprium nomen Ecclesiae*, and gave this as the reason for the rejection of the proposal to insert a comma between *Romana* and *Catholica*. His argument prevailed so far that a majority of the Fathers voted for the omission of the comma. But supposing that, for the sake of argument, I admit this distinction—one, it seems to me, without a difference—between the *name* of the Church, and her authentic description, or, as Fr. Granderath puts it, the *designation* of the Church,[5] what does it profit my critic? My contention is simply that *Roman*, having been officially incorporated in the authentic description (if

[4] Italics mine. In view of my opponent's objection to calling *Romana* part of the *name* of the Church, I should like to draw attention to the use of the words "denominationem," "cognomen," "*appellatione propria*" and "denominari" in the whole of Fr. Perrone's note.

[5] Grand., Constit. Dogm. Vat. Conc., P. 1, Cap. alterum. Comment 1.

he likes) of the Church, no Catholic has any right to repudiate the term, the introduction of which, moreover, as he says himself, may be of obligation. This is the very point on which I wished to insist. His real difficulty would appear to be the relative position of the words *Roman* and *Catholic* in the customary English expression "the Roman Catholic Church." He is very much afraid of this expression, though quite needlessly, if he pays attention to the obvious distinction which I quoted from Fr. Perrone, between the use of the word "Roman" of the Universal Church, and its use of the particular Roman Church, *in alma Urbe*. His objection to the phrase, if he put it plainly, would, I suppose, run thus: The Council rejected the *order* of the words *Romana Catholica Ecclesia* (not, as he confusedly puts it, the *form* of words, which was retained in substance, though in a different order), therefore we must reject the *order* of the words *Roman Catholic Church*. Well and good. If my critic likes to say "Catholic Roman Church," by all means let him, but he will be very singular, and people will wonder what he is talking about. I am not sure that this is what he wants, for he does not express himself with any great clearness. He says "the Council rejected the form *Romana Catholica Ecclesia*, and it adopted the form *Romana Ecclesia*." As a matter of fact the Council adopted much more. It adopted the form "Sancta Catholica Apostolica Romana Ecclesia." What, then, does my critic mean? Is this a misprint? Or is he quoting *Romana Ecclesia* alone, when he means to quote the whole designation? Or does he mean that while he objects to say Roman Catholic Church, he does not mind designating the whole Church as the "Roman Church"? It is very confusing. At any rate, he altogether confuses the issue by what I must describe as something of a quibble. The main question is not that of the order of the words, but of the rejection or retention of the word *Romana*. We must take facts as they are. The custom of saying Roman Catholic Church is universal amongst English-speaking Catholics *on those occasions which call for the term "Roman,"* and the phrase is almost always used, and with pride, by Irish Catholics. This custom has never, so far as I am aware, been adversely commented upon by authority. Would not my critic, if he found himself under the necessity of using *Roman*,

say, like any one else, *Roman Catholic?* He insinuates that I contradict myself in that my article "begins by showing that the Vatican Council rejected the form of words *Romana Catholica Ecclesia*, and ends by maintaining that we are not at liberty to reject the form of words *The Roman Catholic Church*." Had I said the Council rejects the *order* of the words *Romana Catholica Ecclesia;* we are not to reject the *order* of the words *Roman Catholic Church*, I might perhaps more justly have been accused of a contradiction, though I should not then have pleaded guilty, seeing that the order of words in Latin is one thing, and in English another, owing to the difference of idiom in the languages. But my contention is quite another, namely, that the Council insisted upon the retention of the word "Romana," in the face of considerable opposition, and that *we*, therefore, must not repudiate the word *Roman*. That in English we place "Roman" before "Catholic" is an accidental circumstance, due to the idiom of the language, and has nothing whatever to do with my argument. As to my critic's comparison of the term "Roman" as applied to the Church Catholic with the words "wealthy" or "democratic" as applied to the United States of America, the obvious reply is *nulla paritas*. Neither "wealthy" nor "democratic" enters into the designation of any country as expressing an essential note or constituent element of the country. On the other hand, *Roman* does enter into the designation of the Church as expressing something essential to her very being, namely communion with the centre of Unity. In a word, I fail entirely to see the force or necessity of my critic's subtle distinction between a "name" and a "full description." After all, what are the Church's names for except to describe her fully? I am really curious to know how my opponent would so use the term Roman in speaking of the Church as to make it clear that he was using it, not as a "name," but as a "description." If he must insist upon this point he ought surely to go back further than he has. "The name of the Church," he says, "has always been nothing but *the Catholic Church*." But was the name of the Church *always* "the Catholic Church"? Certainly not. Was not "Catholic" added and made part and parcel of the name of the Church, by a true development of the idea contained in the Church from the beginning? If we look for *Catholic* in Holy Scripture we shall not

find it. The Catholic Church, as Fr. Perrone shows in the note I have quoted above, was first called "the Christian Church" or the "Church of Christ," and its members "Christians." My critic admits that the addition *Catholic* became part of the Church's name. On his own showing he must admit the same about the addition *Roman*, which was made for precisely similar reasons. On his own principles my critic must either allow that both "Roman" and "Catholic" are *names*, or deny it of both. If "Roman" is not part of the name of the Church, neither is "Catholic." But, after all, why all this bother about the distinction between a "name" and a "full description," or, as the authorities I have quoted call it, a "designation," or an "appellation," or a "denomination"? But, lest my critic should find that it has taken a "fifteen-page article" to assure him that he is making a mountain out of a mole-hill, I will conclude by pointing out one more confusion, exhibited in his closing sentence. "The name of the Church," he says, "is the Catholic Church. The descriptive words 'One,' 'Holy,' 'Apostolic,' 'Roman,' 'Visible,' 'Infallible,' etc., are properly used when, and only when, occasion calls for them." Apart from the fact that my critic again in this sentence quite forgets that I myself, as much as he, would keep to the simple term "Catholic Church" except on certain occasions,—occasions, that is, similar to those which first caused the addition of the term *Roman* to be made,—I would point out that there is no authority for this supposed difference between the term "Catholic" and the terms "One," "Holy," "Apostolic," and "Roman." These are no more *merely* descriptive than "Catholic." What "Catholic" is, *they* are, whether we speak of them as "names" or "descriptions." I should prefer to call them "descriptive names," for the names of the Church do certainly describe her. "Catholic" describes her just as much as "One" or "Roman." As for "Visible" and "Infallible," should circumstances arise to make those words *tesserae* by which the Church should be distinguished from some form of error, doubtless they would be so used, but this is not likely, since, as I showed in my article, the great essential notes of the Church, which include practically everything by which she is distinguishable from false religious bodies, are already admirably expressed in her authentic name of "Holy, Catholic, Apostolic, *Roman* Church."

H. G. HUGHES.

IS THE BAPTISM OF THE CAMPBELLITES VALID?

The question has been put to us whether the Catholic Church recognizes as valid the baptism administered by a minister of the "Disciples of Christ," commonly called "Campbellites." The form used by that sect is practically the same as the one used by Catholics, and the person over whom it is pronounced is immediately after immersed in the water. The doubt arises partly from the fact that the words and the immersion are not simultaneous, and might, therefore, *not* be considered as *one act*, in which the words should simply express the meaning of the act. The question seems important, because it raises another regarding the validity of a marriage between a Catholic and a Campbellite. That marriage would be invalid, if the Campbellite is not regarded as validly baptized; it would be valid if his baptism is recognized. In both cases a dispensation would indeed be required; but from two very different impediments. If the pastor sends a Catholic wishing to enter marriage with a Campbellite to the bishop for a dispensation, and the latter grant it on the supposition that both parties are baptized, and only differ in the recognition of an external worship, would that dispensation hold good if the Campbellite rite is really invalid? In such a case it seems a different dispensation would have to be obtained.

To make the full import of the above question clear, I premise, before answering directly, some general remarks bearing on the subject.

It is the accepted law and practice of the Church to consider the baptism of water conferred in the form prescribed by Christ as valid, no matter what the belief or morals of the person who administers the rite, provided such person intends to do what the Church prescribes. Hence baptism rightly administered by a heretic or an infidel is to be held valid; so much so that if there be no room for doubt about the integrity of the ceremony performed, the Church does not even permit the rite to be repeated by a priest, and this under pain of censure.

If, on the other hand, there be some doubt that the ceremony of baptism administered by any person other than the priest was essentially faulty or defective, so that the words (form) employed were not really the same as those prescribed by our Lord; or if it

be doubtful that the material used was real natural water; or, lastly, if the manner in which the water and the words were applied indicated that there was no intended or real connection between them, or that the person did not mean to do what the Church prescribes, then—in all such cases—the baptism is not regarded as valid, and must be repeated.

It is to be presumed that adult persons who, having a doubt, wish to make sure of their having received the sacramental rite of baptism (since it involves their explicit title to participation in the grace of salvation), wish also to be governed by the laws of the Christian Church. Hence, when there is question of certain engagements entered upon by them under the assumption that they were baptized (and therefore members of Christ's visible Church), such engagements or obligations may be justly held to bind them. Marriages, therefore, contracted by parties baptized—even if their baptism is afterwards proved of doubtful validity—are held by the Church to be valid.[1]

The baptism administered by orthodox Lutherans who maintain the Augsburg confession, or by Episcopalians who follow the Catholic Ritual, or by Baptists who believe in the necessity of the regeneration by means of baptism as established by Christ, is presumably valid; and though converts from any of these sects are in most cases conditionally rebaptized because the evidence of validity in individual instances is wanting, it is usually assumed as sufficient proof in favor of the validity of a subsequent marriage

[1] Thus the marriage of a Catholic to a baptized Protestant is considered *valid* in the Church; and the single obstacle which she places in the way of making it a *licit* marriage arises from a decided difference of Christian profession of faith on the part of two persons who ought to be of one mind on so serious a subject. Even if the Church did not give her consent to such a marriage, it would be considered valid by her ecclesiastical tribunal. In such cases a dispensation is given to safeguard the Catholic party against complete separation from the Church. The impediment calling for this dispensation (termed *mixed religion*) is granted only under the condition that the Catholic party retain full right to the exercise of his or her religion, that the children be raised in the true faith, and that every legitimate effort be made, by example, etc., to bring the non-Catholic party to an understanding and appreciation of the Catholic faith.

But a marriage between a Catholic and an unbaptized person is regarded by the Church (to whom the Catholic party professes allegiance) as invalid. If for serious reasons she dispenses from the impediment which (termed *disparity of cult*) ordinarily annuls such a marriage, it becomes valid.

between Christians thus baptized. After these preliminaries, which will help to clear the understanding of the Catholic position, I return to the question:

1. Can the baptism of the Campbellites (Disciples of Christ) be regarded in the same light as the baptism of Lutherans, Episcopalians, and Baptists, so that a marriage between a Catholic and a Campbellite contracted without dispensation is to be considered valid?

2. Does the dispensation from the impediment of *mixed religion* which renders such marriages simply *illicit*, apply to the case of Campbellites, or must the dispensation be from the diriment or annulling impediment of *disparity?*

I answer—that the baptism of the Campbellite sect is not Christian baptism, and hence the union between a professed member of that sect and a Catholic is invalid. It requires a dispensation from the impediment of disparity. It is quite true

THE BAPTISM OF THE "DISCIPLES OF CHRIST" OR CAMPBELLITES

is similar or entirely alike to that of the Baptists, which is usually held to be valid by the Catholic authorities. The words are the same as were used in the Christian Church of old, and the manner is by the ancient mode of immersion. The form (words) is pronounced immediately before the act of ablution by immersion, and though there are theologians who call the validity of the act in question because the *words* are not *simultaneous* with the *act* of baptizing, common sense recognizes the fact that the words "I baptize thee," directly refer to the act of immersion which immediately follows.

But the essential requisite which would stamp the action of a Campbellite preacher as Christian baptism in the sense understood and demanded by the Church is still wanting. That requisite is a proper intention. The followers of Thomas, Alexander, and John Campbell, whilst retaining the outward ceremonial derived from their previous allegiance with the sect of the Baptists, distinctly repudiate belief in the Sacrament of Regeneration. They hold the rite of baptism in water to be a symbolic expression of penance, namely, "the burial in water of the penitent believer

who has died to sin." They formally protest against its having the meaning and virtue of cleansing the soul from original and actual sin. Hence their action, although it has the semblance of Christian baptism, is quite as different from it as would be the action of a player performing the function on the stage *without any intention of fulfilling the prescription of the Church.*

It may be objected that the faith or belief of the person baptizing does not affect the validity of the baptism; for the Church permits infidels and heretics to baptize, and she recognizes, as has been said, their baptism as valid provided the proper form of words and the actual ablution be observed.

This is true provided the infidel or heretic baptizing intends to do *what the Church prescribes or intends.* To have this intention he need not personally believe in the efficacy of the act, nay, he might believe the very contrary. If an infidel physician baptizing the child of a Christian mother in danger of death, said: "I mean to do what the mother of the child, or what the Roman Church intends by this act," he would baptize validly, although he might still say to himself: "I don't think this ceremony is of any use to the soul, and I would not have my own child thus baptized."

If, on the other hand, he performed the act, saying to himself: "I intend simply *to wash* this child clean, but since it belongs to a Christian mother I will use the form of the cross and the words: 'I wash (or baptize) thee in the name of the Father,' etc.," he would not baptize the child validly because he did not intend to do so, whatever his belief might be.

Herein, I think, the theologians err who hold that practically we are to accept as valid all baptisms in which form and matter are rightly observed, taking no account whatever of the intention. It is true, indeed, that if a Campbellite were acting for a Catholic, for example a nurse baptizing the dying child of a Catholic mother whom she attends, and wishing simply to fulfil the mother's intention, she may be supposed to have baptized the child validly. Yet in such a case the assumption of validity arises not from the fact merely that she used the right form and matter, but because she acted presumably in the intention of the mother who wished the child baptized in the rite of her own Church. Apart

from such circumstances, however, the baptism administered in the Campbellite rite and intention is no baptism in the Christian sense. For the Campbellite intends distinctly a different rite, a sort of baptism of penance. Hence it follows that when there is question of dispensation in reference to matrimony the impediment to be removed is that of *disparity* and not merely of *mixed religion.*

THE PROPER STIPEND FOR A MISSION.

To the Editor of THE AMERICAN ECCLESIASTICAL REVIEW:

DEAR SIR.—I am thinking of asking two first-class missionaries belonging to a religious order to conduct a two weeks' mission in my parish which numbers about four hundred families. I desire to know what would be a just stipend for the work of the missionaries if well done.

Respectfully yours,

IUSTUS.

The above letter for reply was handed to an "order" missionary of much experience in the United States. The answer is here given:

Reverend and Dear Editor:

For want of more detailed circumstances it is impossible to make a direct reply to the query of Iustus. There are parishes and parishes.

1. Where the parish is extremely poor, and the pastor deems a mission necessary, the proper thing for him to do is to ask the missionaries to give his people a mission for the pure love of God.

2. Where the parish is poor but able to pay for what it receives, the pastor might offer to give the missionaries what they can get from the Sunday evening collections announced; or ask them at the time of engagement to be satisfied with a particular stipend mentioned.

3. Where the parish is not poor, the pastor ought to be satisfied with taking for the church all the week-day and Sunday Mass collections, and the fifty per cent. he receives from stores in the sale of mission goods. He should then give the people a chance of showing their gratitude to the missionaries for the exhausting work done; and, for this purpose, he himself, or the missionaries at his request, should announce a special collection to be taken up at the closing exercises of

each week for the missionaries. This becomes their stipend; and whether it be more or less, it should be given to them in full. When a pastor seizes upon any part of this it should be to him not only a matter of confusion but of confession. If before making arrangements for the mission he grow fearful lest the people be too generous to the missionaries, then let him offer to give a stipend of not less than one hundred dollars per week to each first-class missionary employed. To offer less is to act niggardly. This stipend of one hundred dollars per week for each man is extremely moderate when one considers the great outlay of money which the religious orders spend in preparing a man for this work; the short time a man can be employed in so exhausting a labor; the time spent in recuperating after each mission; to say nothing of personal and travelling expenses. The religious missionaries, as far as I know, are not out for making money for themselves, much less do they wish to do it for others. They do heroic work in the field, and the spiritual fruit is beyond estimate; but being but men they rejoice when gratitude is shown, and when unjustly treated depart too often with the farewell "God bless you!" sticking in the throat.

Kindly yours,

HONESTUS.

FROM MY CHRISTIAN ART PORTFOLIO.

The Epiphany in Art.—When we reflect on the pictorial possibilities of the arrival of the so-called Kings of the East in all their Oriental splendor, trappings and the picturesque feature of Moorish princes we need not be surprised that the greatest painters, and notably the greatest colorists, have made the Epiphany the frequent subject of their work.

In the Cathedral of Cologne, we admire the "Dom Bild" of Stephen Loethenec. In the Pinacothek of Munich hangs Roger Van der Weyden's noble painting. In the Hospital of St. John, Bruges, Belgium, thousands visit yearly the masterpiece of Hans Memlinc.

The call of both Jews and Gentiles is often represented by triptychs: the Birth of Christ in the central panel, the visit of the Shepherds and the Adoration of the Magi being represented on the side panels.

In old paintings the Child *blesses;* only modern painters have made him fumble in the gold offering. The Blessed Mother always *sits;* Rubens was the first to make her stand; his disciples followed suit.

Rubens painted the "Three Kings," fifteen times. The best of these are: one in London, the other in the Prado Museum at Madrid.

On the walls of a church in Florence are the noted frescoes of Taddeo Gaddi and Benozzo Gozzoli.

The Tanners' Guild of Bruges, Belgium, ordered a painting of the Three Kings for their Guild Chapel in the Church of Notre Dame. Hans Memlinc painted it for them in 1480. It is now in the Munich gallery.

MASS ON THE ALTAR OF EXPOSITION DURING THE FORTY HOURS.

Qu. Would you kindly settle a doubt recently discussed by some of my neighbors as to whether or not we may say the regular morning Masses at the altar of Exposition during the Forty Hours' Adoration?

Resp. The custom of saying Masses on the altar on which the Blessed Sacrament is exposed for public adoration is forbidden, unless there is a necessity, or a grave reason, or a special dispensation. The same holds good for the distribution of Holy Communion, when the Blessed Sacrament can be preserved in the tabernacle of any other altar.

Quid sentiendum de usu in dies semper invalescente celebrandi Missas coram SSo. Sacramento publice exposito in Ecclesiis, in quibus non desunt alia altaria, item et distribuendi S. Communionem in iisdem Missis et extra Missas in eodem altari?

Ad I. *Non licere sine necessitate, vel gravi causa, vel ex speciali indulto.*

Ad II. *Negative.* Ex resp. S. R. C., die 11 Maii 1878.

(*Decreta auth.*, ad I, 5728.)

Ecclesiastical Library Table.

SACRED SCRIPTURE.

1. The Pontifical Commission on Bible Study.—For nearly a year we have heard and read much about a committee of Cardinals and Biblical scholars which was to be formed by the authority of our Holy Father, in order to advance and direct Catholic Bible study. The names of its members were made public and duly commented upon; its object and its probable course of action formed fertile topics of conjecture. But it was not till October 30, 1902, that His Holiness issued the letter by which the Commission was formally established. After referring to the Encyclical *Providentissimus Deus*, issued in 1893, and its deep and lasting influence on the whole Catholic world, the Holy Father declares his intention to further Catholic Bible study in a new way by establishing a Commission of grave men, whose seat is to be in Rome, whose members are to be chosen from the body of Cardinals and from eminent scholars of various nationalities, whose purpose is to bring Catholic Bible study up to date, and to protect it from erroneous and rash opinions. The special directions laid down by His Holiness for the guidance of the Commission are few and simple: (1) Every new line of thought and every discovery bearing on Biblical exegesis are to be utilized immediately, especial emphasis being laid on philology and the study of Oriental languages. (2) Though the Church is the interpreter of Sacred Scripture according to the teaching of the Vatican Council, and consequently too much attention must not be paid to the opinions and the erudition of non-Catholic writers, still their writings should be utilized when they contain anything really helpful, and the art of modern criticism should be cultivated. (3) While the interpretation of Biblical passages authentically explained by Sacred Scripture itself or by the Church is no longer free to the Catholic commentator, the explanation of all the other passages offers a wide field of free investigation; but here, too, the Catholic student must be guided by

the analogy of faith, and must not offend against the law of charity. As to its business side, the Commission is to have its regular meetings, is to issue its publications either periodically or as occasion may demand, is to answer the questions of those asking advice, and must, through its secretary, refer to the Holy Father whatever has been subject of common consultation. Finally, in the Vatican Library a special department is to be devoted to Biblical literature, ancient and modern, and for this purpose donations of this kind of books are solicited.

2. Assyriology and the Bible.—The relation of Assyriology to the Bible, as far as it could be known up to within a few years ago, has been clearly and quite satisfactorily set forth by F. Vigouroux, A. H. Sayce, and the Rev. John Urquhart. But during the last few years available Assyriological documents have been so considerably multiplied, and certain points of contact between the Bible and Assyriology have been so emphatically asserted on the one side and so absolutely denied on the other, that a few words on the subject may prove of interest to the reader. Father Condamin[1] estimates the number of Assyrian inscriptions that are now in European or American libraries at 160,000; at the same time he assures us, on the authority of M. Pognon, who has held the office of Consul at Bagdad for many years, that as yet not one-millionth part of the ancient ruins has been removed from the plains between the Euphrates and the Tigris. It is believed that about one-half of the inscriptions thus far found are in the possession of the British Museum; some 20,000 of these belong to the library of Assurbanipal. According to *The Commercial Advertiser*,[2] Professor Hermann V. Hilprecht, of Philadelphia, who returned a few months ago from excavating the buried cities of Nippur, possesses some 23,000 tablets that await deciphering. Our living Assyriologists may amount to sixty or seventy, so that they have an abundance of work in hand. In fact, they have found it best to become specialists within their own specialty; one devotes himself to history, another to contract tablets, a third to letters and despatches, a fourth to religious texts, another again to texts bearing on cosmology and astronomy.

[1] *Études*, November 20, 1902, La Bible et L'Assyriologie, premier article.
[2] New York, October 6, 1902.

Thus if we look through the series of popular monographs on Babylonian and Assyrian topics, entitled *Der Alte Orient*, we find that H. Zimmern has contributed a treatise on the primeval history of Babylonia as compared with that of the Bible,[3] H. Winckler has written a pamphlet on the Babylonian view of heaven and earth as the basis of the cosmology and the mythology of all nations,[4] and another on the political development of Assyria and Babylonia,[5] A. Jeremias has contributed a study on "The Babylonian Conception of Heaven and Hell,"[6] Dr. F. von Oefele has written on the system of medicine contained in the cuneiform literature.[7] This last subject has been more scientifically treated by Dr. Fr. Küchler, a pupil of Professor Jensen. The first part of his work[8] contains the transliteration and philological explanation of a number of texts belonging to the well-known series "Enuma Amêlu Sualam maris" (If a man suffers from . . .). The technical terms are in most cases quite satisfactorily explained, and the texts appear to bear that semi-religious character which we naturally expect in them. The whole work will appear as one of the volumes of the *Keilinschriftliche Bibliothek*. Dr. Küchler is more guarded in his general conclusion than Dr. von Oefele; according to the latter the whole of Eastern medicine is to be traced back to a common system, a development of one branch of which may be seen in the *corpus* of Hippocrates. This theory, however, may have to be altered after the publication of other Babylonian medical texts, hundreds of which are preserved in the Kouyunjik collections of the British Museum. Dr. Hermann Ranke writes a thesis on the proper names of persons in the cuneiform documents of the time of Hammurabi, the well-known contemporary of Abraham. He distinguishes the proper names as theophore or non-theophore, and as hypokoristics with or without suffixes; in a second part of his work the author promises to give a *list* of proper names of per-

[3] Biblische und Babylonische Urgeschichte, *Der Alte Orient*, ii, 3.

[4] Himmels- und Weltenbild der Babylonier, als Grundlage der Weltanschauung und Mythologie aller Völker, *Der Alte Orient*, iii, 2, 3.

[5] Politische Entwickelung Babyloniens und Assyriens, *Der Alte Orient*, ii, 1.

[6] Hölle und Paradies bei den Babyloniern, *Der Alte Orient*, i, 3.

[7] Keilschriftmedizin, *Der Alte Orient*, iv, 2, Leipzig, 1902.

[8] Beiträge zur Kenntniss der Assyrischen Medicin.

sons. Prof. Lehmann's *Beiträge zur alten Geschichte*[9] continues Dr. Ginzel's paper on the *Astronomy of the Babylonians*, dealing especially with the sexagesimal system of reckoning; the author thus touches upon a question which has been discussed by Dr. Winckler in his pamphlet on "The Babylonian Conception of Heaven and Earth."[10] For this latter writer not merely describes the astral character of the Babylonian mythology, but also discusses the development of the sexagesimal system of reckoning, and the division of the year. The *Comptes rendus* of the Paris Academy contain a contribution by M. Thureau-Dangin in which are summarized the results of the excavations carried on by the late M. de Sarzec at Telloh. The new finds are important for the chronological position of a number of Old Babylonian rulers or kings, whose inscriptions are added in transliteration. The same scholar has undertaken a translation of the long cylinder-inscription *A* of Gudea, the first instalment of which is published in the current number of the *Zeitschrift für Assyriologie*. The *Recueil de Travaux relatifs à la Philologie et à l'Archéologie*[11] contains a new sequel of Father Scheil's notes; it gives a commercial document from Elam written in the Babylonian character and language. The same volume continues also Mr. Fr. Martin's miscellaneous Assyriological notes, in which an oracle of the god Marduk,[12] and a prayer to the same deity[13] are translated and published for the first time. In the last number of the *Beiträge zur Assyriologie*,[14] Prof. Kohler, of Berlin, continues the researches begun some ten years ago in his well-known work "Aus dem babylonischen Rechtsleben;" Dr. G. Nagel studies some of Hammurabi's letters to Sinidinnam; Cornelis van Geldern explains a number of Babylonian and Assyrian letters from the library at Kouyunjik; Fred. Hrozny contributes a paper on money among the Babylonians; Dr. Edw. Kotalla explains fifty commercial documents of the time of Artaxerxes I.

What has been said sufficiently shows the increase of Babylo-

[9] Vol. i, part 3.
[10] *Der Alte Orient*, iii, 2, 3.
[11] Vol. xxiv.
[12] K. 3353 of the British Museum.
[13] K. 2403.
[14] Vol. iv, part 4.

nian literature during the last few months; but to render this fact still more striking, we may add the provisional conclusions of Prof. Hermann V. Hilprecht, the well known excavator of the buried cities of Nippur.[14] It appears certain that Nippur is a collection of sixteen cities, one built above the other; the lower ones of these have not as yet been reached. The place was not merely a temple, but a school and a college as well; its library is therefore an epitome of Babylonian civilization. The ancient Babylonians appear to have been underrated especially with regard to their astronomical, their mathematical, and their linguistic proficiency. On one tablet there are minute astronomical calculations as to the constellation of Scorpion, and the places and movements of the stars are so accurately described that the astronomers of that time must in some respects have been as proficient as those of to-day. Again, our multiplication tables stop at twelve, but the Babylonian tables go as far as sixty. The scientific workers of those days had the desire and the means of obtaining swift and large conclusions in numbers; their system of extended tables, particularly in astronomy, where the results of 1300 by 1300 are seen, is a veritable mathematical marvel. Once more, the Babylonian children, even in the schools of the lower grade, were compelled to master two languages—the one a learned, the other a colloquial tongue.

It has become the fashion of late to study Hebrew history as an integral part of the history of the large Semitic world. The reader has read of the works of McCurdy, and Rogers, and Jastrow; the last named work is now being published in a German translation.[15] But these publications are beyond the reach of the ordinary Bible student. Hence Ross G. Murison[16] has written a manual on the same subjects, intended to meet the needs of the common Bible reader. After briefly giving the political history in the first seventy-three pages, the author devotes the remainder of the book to the following topics: (1) Genesis according to the Monuments; (2) Religion; (3) Writing and

[14] Cf. *The Commercial Advertiser*, N. Y., October 6th.

[15] *Die Religion Babyloniens und Assyriens.* Giessen: J. Ricker, 1902.

[16] *Babylonia and Assyria.* A Sketch of their History. New York. Imported by Chas. Scribner's Sons; pp. 115.

Literature; (4) Civilization. The author certainly writes clearly and concisely; but his very brevity does not permit him to represent his views according to their proper degree of probability. Catholic readers will find a handy manual in which the Babylonian discoveries have been properly applied to Biblical subjects in Dr. Æ. Schöpfer's History of the Old Testament.[17] At its first appearance this work met a certain amount of opposition; but at present its principles appear to have been recognized as solid and true. There exists a French translation of this work, edited by Pelt, which is quite favorably noticed in the above mentioned article contributed by Father Condamin to the *Études*. The same article shows what light Assyriology has thrown on the Biblical language and history. The Rev. author promises to treat in future articles on the relation of Assyriology to the Biblical religion and to the current creation and deluge traditions.

It cannot be denied that the light of Assyriology has affected the views of even Catholic interpreters of Biblical chronology. Towards the end of the eighteenth century several commentators pretended to know the very date and year of the creation of the world; why, it happened on the twenty-third day of October, 4004 B. C. It is rather shocking to find in the above History of the Old Testament, edited by Schöpfer-Pelt, a chronological table which sets down the dates of the creation, of the first appearance of man, and of the flood as unknown. On the other hand, certain higher critics had gone too far in deriving Biblical data from Assyriological sources. At the recent *Thirteenth International Congress of Orientalists*, held at Hamburg,[18] Prof. Merx, of Heidelberg, delivered an address on "The Influence of the Old Testament on the Development of Universal History," in which he pronounces it a mistake to insist, as it is now currently claimed, that the Elohist in the composition of the Pentateuch drew his system from the Babylonians. On the one hand, the real religious system of the Babylonians is not to be drawn from the cuneiform inscriptions, but from Berosus; on the other, the borrowing of materials from the one or from the other does not imply a corresponding dependence for the real religious views

[17] *Geschichte des Alten Testaments*, 3 ed., Brixen 1902, 8vo, pp. xii+596.

[18] Sept. 4—Sept. 10, 1902.

For more important than the materials used by the various writers is the spirit in which they utilized this material, and in this respect the Elohist of the Old Testament is entirely independent of the Babylonians. These latter were materialists and evolutionists, while the Elohist is a creationist; the Babylonians considered their gods as later products, while the Elohist acknowledges a thinking Divine Spirit as the beginning of all things. Besides, the Biblical chronology is quite different from the Babylonian. While Prof. Merx thus established the independence of the Elohist, Prof. Bezold discussed the Assyrian transcription of the Hebrew names of God, and insisted that the expression Jahve-ilu should be rendered "God exists" or "There is a God." Prof. Delitzsch translated the phrase "Jehovah is God," and based upon this rendering his hypothesis that the Jews learned their Jehovah worship from their Babylonian neighbors. He has received a formal reply, in a pamphlet, "*Die altorientalischen Denkmäler und das Alte Testament*," published by Prof. Hommel, of Munich. This latter writer shows that the new theory is built upon a poor foundation, philologically and otherwise, and that the whole Wellhausen scheme misrepresents the true story of the Pentateuch. Among other defenders of the traditional view, W. Knieschke has made himself especially conspicuous by his pamphlet, *Bibel und Babel: El und Bel*, in which he shows from the opening chapters of Genesis that the Hebrews could not have borrowed their religious system from the Babylonians.

3. **Excavations in Palestine.**—In the *Quarterly Statement*, July to September, of the Palestine Exploration Fund, Dr. Schumacher gives a report of recent discoveries near Galilee. The writer belongs to Professor Sellin's party of excavators, consisting of four or five Europeans, an Austrian Imperial Commissioner, and from seventy to a hundred and fifty workmen and women. They conducted excavations on the site of the ancient city of Taanach, which is now Tell Ta'annek. The tell rises 120 to 140 feet above the surrounding plain, and on its summit there is a large pear-shaped plateau of 1,050 feet by 450, its highest point being nearly 800 feet above the sea. From this plateau down to the rock four large trenches were cut, in one place 36 feet deep. Much pottery

was discovered, belonging to all ages, except that of Rome. The remains are Phœnician, Jewish, Amorite, and even pre-Amorite. Jewish jars were discovered among the pottery, containing the ashes of young children, but no trace of adult remains. There must have been an ancient Jewish children's cemetery on the spot; near it was laid bare a rock altar, with a rock-cut step, dishes for offerings, and channels for carrying away the blood.

In the same issue of the *Statement*, Sir Charles Wilson gives an account of the excavations that have recently been made by Dr. Bliss and Mr. McAlister on behalf of the fund itself. Four sites have already been investigated. The first is *Tell Zakarîya*, above the Vale of Elah, from which one has a striking view of the battlefield in which "David slew Goliah." Here a town was laid bare of which no name has survived. But the remains show that it was founded in the late pre-Israelite period, perhaps about 1500 B. C., that it was fortified in Jewish times, perhaps by the successor of King Solomon, that it was occupied in the Seleucid period, and that it was deserted after a short Roman and Byzantine occupation. Dr. Bliss provisionally identifies it with Azekah or Socoh. Dr. Bliss then describes the work on the site of *Tell-es-Sâfi*, which stands at the mouth of the Vale of Elah, and may be the ancient Gath. Since a modern village and a cemetery occupy most of the summit, the area of excavation was rather limited. Still, enough was done to prove that there existed a city in the early pre-Israelite period, probably about 1700 B. C., which must have continued down to the days of the Seleucids. Next, we come to *Tell ej-Judeideh*, which lies south of *Tell Zakarîya*. The city on this site, no clue of whose name has been discovered, must have been founded in the early pre-Israelitic period, abandoned long before the Hebrew conquest, reoccupied during the Jewish monarchy, and fortified in Roman times. A Roman villa occupied the centre of the mound. The fourth site is *Tell Sandahannah*, which lies about a mile south of Beit Jibrin. Almost all the remains are of the Seleucid period, but the Seleucid town was built on the ruins of a Jewish city "which is almost certainly the Biblical Mareshah." A small suburb, about three-quarters of a mile distant, still retains the name in its modernized form *Khurbet Mer'ash*. The town was plundered by Judas

Machabæus, taken by John Hyrcanus, restored to the Idumæans by Pompey, and finally destroyed by the Parthians in 40 B. C. The site yielded much pottery and many limestone inscriptions. Most of the latter are ancient imprecations; but one bears the name of Berenike, possibly the mother of Ptolemy IV; another was found on the base of a statue of a queen Arsinoë, identified by Clermont-Ganneau with the sister and wife of Ptolemy IV, a lady who played an important part in the battle of Raphia. The site next to be attacked is Gezer, and it is the most promising of all. It stands a little to the south of the carriage road from Jaffa to Jerusalem, and a little to the north from the railway. Though it is frequently mentioned in the *Tell Amarna Tablets*, its name occurs in the Bible only at Jos. 10: 33; but it was not conquered by the Hebrews at that early period. When the cities were assigned to the Levites, Gezer was given to the Kohathites. After this, the town is not mentioned till about the time of David; it is not quite clear whether it was taken by this great warrior, but it was certainly taken a short time after by Pharaoh, who burned it, and gave it for a present to his daughter, the wife of Solomon. Not to follow up the later history of the town, we only draw attention to the fact, that if, during the course of excavation the ashes of a burned city are found at the very spot where they ought to be situated, archæology will furnish another instance in which it confirms the data of Biblical chronology.

Thus far we have reviewed the results of the Austrian and the English excavations in Palestine. The first director of the *American Institute* in Jerusalem, Prof. Torrey, has conducted some excavations at Sidon; similarly, a Russian delegation has been engaged in limited researches in Syria, especially about Palmyra.[19] But neither of these efforts appears to have thus far produced any remarkable results.

For a number of years the *Deutsche Palästina Verein* had devoted all the efforts to topographical studies in Palestine. But at the instigation and under the auspices of Emperor William, it has now again procured a firman from the Turkish government allowing excavations to be made at *Tell Moutesellim*, supposed to be the ancient Megiddo. A rich harvest of archæological results

[19] Compt. rend. Acad. Enscript. et Bel.-Lett., April, 1902, p. 100.

is therefore expected in the near future. It may be of interest to the reader to recall here the fact that the visit of Emperor William to Ba'albek, during the month of November, 1898, was the beginning of German excavations among the ruins of that ancient and interesting city. A month after the imperial visit the architect, Dr. R. Koldewey, drew a map of the extant ruins and proposed a scheme of excavations. These were begun on August 8, 1900, under the direction of Prof. O. Puchstein, by the architects, B. Schulz and D. Krencker; Dr. Sobernheim was placed in charge of the inscriptions. The expenses are paid partly by the German government, and partly, it is said, by the Emperor. The full results will not be known till the work of excavation is completed; but conclusions important enough to justify the expenditure of time and labor were published last year.[20] Finally, we may add here a notice of Prof. Grotemeyer's studies in which he compares the data given in the visions of A. K. Emmerich, with the corresponding historical and geographical facts of the Bible.[21] Thus far two fascicles of these curious studies have been published. The last contribution touches upon three subjects: Gideon's victory over Madian, Capharnaum and its surroundings, and the war between the Arabian prince Aretas and Herod Antipas. Whatever we may think of the so-called visions of A. K. Emmerich, their agreement with the facts of the Bible is certainly a subject of wonder. The writer shows that in the case of the victory over Madian especially, the writings of the simple nun solve a topographical problem that has puzzled a number of the most learned and critical commentators.

PHILOSOPHY.

The Philosophical Viewpoint of Evolutionism.—Canon Didiot in his recent *Contribution Philosophique à l'Étude des Sciences*[1] has briefly indicated the point of view from which Philosophy and Biology respectively consider the problem of organic evolution.

[20] Jahrb. d. k. deutsch. Arch. Inst., 133 ff., 1901.

[21] Studien zu den Visionen der gottseligen Augustinernonne A. K. Emmerich. Münster, 1902, Aschendorff.

[1] Lille: Desclée, 1902.

The philosopher, he says, inquires whether the mineral has ever become a plant, a plant an animal, an animal a man. Having determined by observation and the physical sciences the characteristics of each of these three so-called kingdoms of nature, the philosopher infers that they differ from one another essentially, and that no member of a lower kingdom can in virtue of its inherent forces transcend its specific limitations and take its place in a higher kingdom; that therefore if the transition has ever been made from the mineral to the plant, or from the plant to the animal, it must have been effected by some extraneous cause; and that if ever a mere animal has passed to a place in the human kingdom, it must have been elevated by the special and immediate act of the Creator.

The philosopher therefore draws the lines of evolution at the kingdoms of nature. These are for him *fixed species*. Whether within each of those species there ever occurs or has ever occurred a transformation of a lower and simpler into a higher and more complex form, he is not able from his own position to determine. He waits patiently for the results of scientific research, quite ready to accept any ascertained instance of transformation of what the natural sciences call species, genera, families, orders, classes, series; recognizing, as he does, that reason and much more faith are in no wise compromised should it be discovered that an amœba has in the lapse of ages, in virtue of forces inherent in its bit of protoplasm and the influence of environment along its line of progress, eventually evolved into an orang-outang.

On the other hand, whilst philosophy takes this serene outlook, biology is down amongst the complexities of living organisms—searching, experimenting with infinite patience for instances of *morphological* transitions. The biologist "wants to know whether an inorganic molecule has ever of itself developed into a living cell; whether minerals have ever been able to transform themselves into plants, plants into animals and finally into man; whether man shall evolve further either to advance or recede in the scale of beings" (p. 81).

This statement, it may be thought, does not sufficiently differentiate the biologist's viewpoint. It leaves him to solve substantially the same problems that confront the philosopher,

only that whilst the latter is concerned about the question of *essence*, he is busied about that of *form* or structure. Both inquirers are looking for the links between the *kingdoms* of nature, though their respective interest in the *forms* that are linked differ. Indeed, it may be allowed that M. Didiot has not drawn with satisfactory fulness the biologist's field of inquiry. From his context, however, one may easily gather that he means that field to include the transitional lines between all the degrees—series, classes, orders, families, genera, species—into which the biological sciences classify the hierarchy of living forms.

The biological problem would then be concerned not so much with the connections between the *kingdoms*—this is more especially the problem of philosophy—as with the fact of transgression from the lower to a higher division within the kingdom. In other words the biologist wants to know in how far, if at all, the classifications that science makes of living forms are fixed by nature. Are the *artificial* divisions, series, classes, families, genera, species, likewise *natural?*

At all events, the reader will notice that the point at which Canon Didiot has placed the philosopher's main interest in evolutionism differs considerably from that at which it has usually been placed by the writers of the standard text-books and courses of philosophy. In these the concept species covers the aggregate of properties common and essential to a number of individuals What properties are essential are recognized by their immutability along the line of descent—an immutability which leaves room, however, for accidental departures from the specific type, thus giving rise to varieties and races within the species.

So far so good. There is little difficulty in defining what the concept of species means in the abstract. The crux arises when we come to fit the definition into the concrete. Wisely therefore does the latest—and, by the way, the most learned, if not the most profound—writer on neo-Scholasticism leave the difficulty unsettled. It is not ours, he says, to define what organisms should be ascribed to species essentially different and what to varieties or classes accidentally different. For so close is the relationship of many divisions (*ordinum*) that their distribution is extremely difficult for even the most experienced mind. For us it suffices to say

that there are very many classes (*ordines*) of organic beings which differ from one another in a principle intrinsic to their essence (ex interno principio essentiae indito).[2] To the same effect writes Urráburu, an equally profound and scarcely less erudite authority on philosophy. Though these writers refuse to designate the classes of living forms to which the term *species* may be rigorously applied as expressing the typical essence, it may be fair to suppose that they would draw the line at what biology calls *genera*, classes summing up the properties common to biological species; *e. g.*, the dog and cat (*genus* canis and *genus* felis). In that case the so-called species of dog would be only varieties or races of the genus, and the same with the cat, lion, tiger, panther. The domestic cat, for instance, might thus be conceived as an accidentally variant form sprung from a pair embodying the original typical form; whilst this form would represent an essentially and therefore specifically different type from that from which the present varieties or races of the dog (might not the wolf, fox, etc., be included?) have descended. We have no space here at command to enter upon the arguments for or against either of these ways of determining the philosopher's view of objective species and his consequent interest in evolutionism. We wish simply to observe that the view expressed by M. Didiot is another indication of the growing tendency manifested by a number of Catholic philosophers in favor of a moderate form of transformism—a form which while eschewing the wild exaggeration of monism and materialism embodies the evolutionary idea as a more or less probable hypothesis.

Father Wasmann on Evolutionism.—An instance of a much more pronounced tendency in the same direction appeared in the *Stimmen aus Maria Laach* for last September, in an article entitled *Thoughts on Evolutionism*, by the well-known entomologist, Father Wasmann. The paper was occasioned by certain articles that had previously appeared in the German press under the captious heading, *A Jesuit Defender of Darwinism*. An explanation was evidently urgent. Father Wasmann reviews the conflict that has been waging during the past forty years between the advocates of the evolution of species on the one side and those of the stability of species on the other side.

[2] Pesch, *Institutionis Psych.*, vol. i, p. 221.

The appearance of Darwin's *Origin of Species* in 1859 occasioned the fray. Darwinism soon became for the time the watchword of the evolutionary party. Now, however, that the smoke of battle has lifted somewhat, it is seen that the number of at least the scientific defenders of Darwinian theories as such is very small. The vast majority of those who stand for the mutability of species defend some other form of evolutionism than that which is based on the theory of natural selection in the struggle for existence. Alongside of the two main opposing armies is descried a corps of freebooters under the leadership of Ernst Haeckel. They make no little noise and confusion in the name of "science," but their arms are not of the best, nor is their object the triumph of truth, but rather the plundering of the Christian camp, which they suppose lies back of the centre of the opposing host.

Having surveyed the field and the *causa belli*, the writer drops the military figure and proceeds to discuss in more technical terms the meaning and value of Darwinism.

Meaning of the Term Darwinism.—Four different meanings have become associated with this term. In its first and proper sense it signifies the theory of *natural selection* as set forth by Darwin himself. In its second acceptation it designates an extension of the Darwinian theory to a world-view. Not only organic species, but the entire cosmical order is declared to have mechanically resulted as a "survival of the fittest" from the original chaos.

This is *Haeckelism*, realistic monism, or, better, materialistic atheism. A third use of the term Darwinism connects it with the extension of natural selection to the human race. It was only in 1871 that Darwin in his *Descent of Man* gave his theory this universal application. The fourth meaning of Darwinism rests on its transference from the theory of natural selection to that of organic descent in general. In this sense it designates the general theory of specific mutability as opposed to the opinion of those who maintain the direct created origin and immutability of species.

We cannot here follow Father Wasmann's criticism of the views embraced by the term Darwinism understood in the first three of these meanings. We can find room for but a few of his observations on the theory included under the fourth acceptation of the word.

What are we to hold regarding the evolution theory as such? Have present "systematic species" been always substantially as we now find them, or are they on the whole genetically related to one another and to their fossilized antecessors?

Are they the result of an historical evolution of the organic world, or were they originally created in their present condition? To answer these queries objectively we must set aside the abuses to which the general theory of descent has been subjected in the interest of atheistic materialism. Haeckelism is no glory to modern science. Nothing has so injured, so vulgarized the theory of evolution, and made it so distrusted by serious minds, as its association with materialistic monism. From this connection it must be sundered if its purely scientific value is to be estimated, and the elements of truth it contains assimilated to a consistent science of nature. In evaluating the theory of descent it must be borne in mind that it is in the first instance, and in its essence, a *scientific* theory. As such, therefore, it knows simply facts and law implied therein. The *origin of life* on our globe does not fall under its explanation.

Biology traces the unbroken succession of living forms and sums up the results of its observations and inductions in the *omne vivum e vivo, omnis cellula e cellula, omnis nucleus e nucleo.* Philosophy takes up the problem of *beginnings*, but it has no right to assume spontaneous generation as the origin of life. On the contrary, depending on the physical sciences as it does for its facts, its deductions, whilst transcending, must not contradict the data. Spontaneous generation has no standing in philosophy any more than it has in biology. What then, asks Father Wasmann, is the real sphere of evolutionism in so far as it is scientifically warranted? Its task is and must be, he answers, to establish the succession in which organic forms have appeared on our earth and thereby to declare the genetic relations of organisms one to another; moreover, it has to investigate the causes which underlie the gradual mutations of organic forms. In other words, the business of the theory of descent is to determine the actual and causal relations of the organic divisions at the head of which stand present "species," the highest offshoots of one or more hypothetically assumed original stocks.

But why appeal to a theory of evolution at all; why not suppose the constancy of "species," that "species" have been originally created in their present at least substantial form? It is here that the spontaneous tendency of the mind towards a unified conception of nature demands satisfaction. The Copernican system offers that satisfaction in so far as the planetary and stellar universe is concerned. The telescope reveals some of the heavenly bodies in actual process of evolution from a gaseous to a solid condition. The nebular hypothesis, starting from the activities manifested in these processes, endeavors to explain the development of the entire cosmical system and thus afford a unified conception of the anorganic universe.

As long ago as the days of St. Augustine it appeared to his broadly synthetic mind more worthy the might and wisdom of God to have created the primordial matter by a single creative act and have left the universe to develop according to the laws which He had impressed on the nature of the elements at their inception. God does not interfere immediately with the natural order where He can operate through the medium of natural causes. This is a fundamental law of the Christian world-view formulated three centuries ago by Suarez.

The question then lies close to hand, Does not this method of divine government rule the organic world? Geology and Paleontology reveal the historical succession of organisms in the remote past as a series reaching from the simplest forms of the earliest ages to the highly complex forms of the present time. Are the fauna and flora of to-day connected only in a time series with their fossil antecessors backwards to the dawn of life? Or does a genetic connection hold sway all along the line? The analogy of the rest of creation and the above principle of non-interference would seem to demand an affirmative answer to the latter question and to justify the theory of descent (in preference to that of multiplied creations) as the ultimate consequence of the Copernican world-view.

Father Wasmann offers several illustrations of what he considers cases of genetic descent. The Brachiopod genus *Lingula* is represented abundantly in the Silurian and Devonian strata, and various of its species run through the successive epochs up to the

present. Is not the inference legitimate that the present species of *Lingula* are truly the lineal descendants, modified in the lapse of ages, of the original forms fossilized in the Silurian beds? So too the four surviving "species" of the *nautili*. Notwithstanding mutations of structure they make a strong claim in favor of an unbroken family connection with fossilized ancestors of the Cambrian strata. Kindred claims are well established for the Phasmidae (spectre, walking-stick insect) and the Paussidae (a class of small beetles.)

Father Wasmann animadverts repeatedly on the exaggerations and abuses with which Haeckelism has degraded the theory of descent. He suggests what he considers the proper attitude of the Christian apologist at the present time. What is true in the theory of descent should be carefully separated from its false accretions. The Christian champion should strike with weapons wrenched from the hands of his adversaries. Taking heed from the mistakes of the quondam defenders of the Ptolemaic system, he should give up the defensive and boldy assume the offensive. No wholesale adoption of evolutionism is, of course, advocated. Gold and dross must be carefully separated. Philosophy and science must coöperate in the critical process.

The Judgment of Philosophy.—Now what does philosophy as such teach concerning the theory of organic descent? A highly probable inference from the cosmical and geological development of the universe, the theory could be vetoed by philosophy only in the supposition that the present "species" could be demonstrated to be fixed, substantially unalterable, and their genetic descent from ancestral simpler types proved consequently to be impossible. This Father Wasmann claims philosophy cannot demonstrate. The subject lies outside its sphere. It belongs to the biological sciences. Philosophy rightly demands of course that the development of organic forms shall be assigned to an adequate cause. As the origin of matter and the laws of its development must be ascribed to the First Cause, personal and creative and distinct from the universe, so also the primitive forms of life demand the interference, immediate or mediate, of the same divine power. Philosophy, however, does not decide that this interference must be creative in the strict sense of this term. Production or eduction from the

potencies implanted in the primordial matter by the Creator suffices. How many original organisms were thus produced, neither philosophy nor science has any means of determining. Probably the differentiation lay at plant and animal. But how many of these classes of organisms were produced, and in how many localities, philosophy is again unable to decide, whilst the records of geology furnish simply some indications that the oldest organisms—at the opening of the Paleozoic age—swam in the Polar Seas. Again, to the question whether the development of the plant world on the one hand and of the animal world on the other, emanated from one original type (monophylistic evolution) or simultaneously or successively from a number of types (polyphylistic evolution), philosophy can give no reply. Philosophy, moreover, has no information to offer as to the causes that stimulated and furthered organic evolution. Biology, however, proves that every organism is subject to laws of development *intrinsic* to its constitution, and from this philosophy rightly infers that the evolution of organism must essentially and in the main have proceeded and advanced under the sway of *internal* causes. Theories, therefore, of evolution based entirely on causes lying outside the organisms are futile and unphilosophical.

The intrinsic tendency and ability, moreover, to advance to a higher form must have been implanted by God in the primary ancestral types. But as regards the *nature* of the internal causes of evolution, and how they conspired with the external factors, philosophy again is silent.

But whilst philosophy is thus ignorant of the extent and method of vegetal and animal evolution, it has apodictic certitude as to the origin of the human soul. Here the evolutionary process of nature must halt and await the creative act. By no internal or external play of natural forces can matter ever become spirit, the "form" of the brute organism evolve into the soul of man. Between the purely animal world and the human there is fixed a chasm which the Creator alone can bridge. So much for the general attitude of philosophy.

The Judgment of Science.—From the standpoint of science evolutionism is a scientific *hypothesis*, and in its fullest form a scientific theory.

As such it claims and can as yet claim only more or less probability in its favor. Exaggerated estimates of its validity by its defenders must therefore be avoided no less than the underestimates of its growing verisimilitude from the side of its opponents.

Two theories on the nature and origin of organic species stand mutually opposed, each consisting of a group of cohering hypotheses. On the one hand there is the theory of the immutability of "systematic species." It denies a genetic relationship amongst successive species. It supposes for all the different species, whose present number aggregates at least eight hundred thousand, a special creative (productive?) act—which acts, moreover, must be immeasurably increased so as to embrace the species which the theory supposes to have existed in the beginning, and to have perished at the close of the various geological periods.

On the other side stands the theory of evolution. It supposes that "species" are only *relatively* constant for a certain geological period; then came shorter periods of transformation succeeded by larger periods of permanence of organic forms; at present we are living in one of these latter periods, and we thus find "species" to be normally constant. Now since specific and genetic notes differ only relatively, not fundamentally, the theory supposes evolutional descent to include the genera, and even the families, orders, and the other degrees of the organic kingdoms. It must be admitted, however, that as we ascend the biological scale the probabilities of genetic relation grow weaker. Genetic relation amongst species of the same genus is often highly probable, not infrequently the same holds for the genera of a family; often, too, for the families of the same order. But as we reach the higher classes and series, the probability of a genetic relationship gives way to a probability in the opposite direction. Hence, among the more critical defenders of evolutionism there is on the whole a tendency to a polyphylistic rather than a monophylistic evolutionism. But how many original types whence organic evolution proceeeded there may have been, only the exuberant phantasy of Haeckel would attempt to decide. Linné, the father of organic classification, has said: *Tot species numeramus quot ab initio creavit infinitum ens.* If the term "species" be here taken to indicate not the organic form it stands for in artificial classification, but for

the "natural species," evolutionists will readily accept the Linnean basis of computation, modified thus: *We number as many "natural species" as there were initial forms produced by God.*

But what use, it may be asked, is the distinction here made between artificial or systematic and natural species, if we are unable to determine what forms actually constitute a natural species, and how many natural species there are?

Father Wasmann declares that in not a few instances we are able, at least in some degree, to indicate the forms that come under a natural species. He cites a number of such cases, amongst them we may mention the present horse (*genus* equus), which he thinks probably constitutes with its fossil progenitors, traceable as far back as the Eocene period, a veritable "natural species." Moreover, the distinction enables us to set up a firm philosophical platform, upon which the doctrine of creation and the evolutionary theory may meet in friendly relations, and a vantage point for the defence of the Christian conception of the universe.

It is a favorite tactic of the monist to strike at the doctrine of creation by attacking the opinion of the permanency of "species." If we maintain that only "natural species" in their original form were produced by God and leave the determination of the number and range of the primordial types to the progress of science, we shall have at least dissociated the Christian conception of the universe from the theory of specific permanence, which our enemies would fain identify therewith in order to cast ridicule on the whole. Moreover, the evolutionary idea enlarges and ennobles our conception of the Creator's power and wisdom, which provided from the beginning the material forces and forms of activity needed to bring the entire scheme of things to its final development without requiring reiterated intervention on His part.

Criticisms and Notes.

THE APOSTLES' CREED, ITS ORIGIN, ITS PURPOSE, AND ITS HISTORICAL INTERPRETATION. By A. C. McGiffert, Washburn Professor of Church History in the Union Theological Seminary, New York. Edinburgh: T. & T. Clark. 1902. Pp. vi—206. Price 4s. net.

Professor McGiffert has here reprinted in a readable and very clearly printed form a lecture delivered by him at the Harvard University Summer School of Theology, later before the University of Chicago, and (partially) at the annual meeting of the American Historical Association, held at Detroit a year or two back. He has kept substantially to his original text, except for certain changes which further study has made necessary, and for diverse critical notes which considerably enhance the value of the treatise. The lecture possesses more than an ephemeral interest, and the professor has conferred a boon upon students by his republication of it. Its purport is the defence of the two positions in regard to the origin and object of the Apostles' Creed with which his name is associated in America, viz.: (1) that the date of the ancient creed of the Church in Rome, of which the so-called "Apostles' Creed" is the offspring, is approximately A.D. 150; and (2) that its purpose was an apologetic one—to defend the main dogmas of Christianity as then formulated, against the attacks of Marcionite heretics.

The old Roman symbol (a shorter form of the present Creed) is quoted by Tertullian[1] in North Africa and by St. Irenaeus[2] in Southern Gaul. The latter Father is considered by the author to be the earliest witness to its existence. He brushes aside as unimportant the fact that many of its phrases are common in the earliest Christian writings, and relies mainly on its total absence from the *Didache*—a document chiefly concerned with pre-baptismal instruction—as conclusive evidence that it was not in use during the first quarter of the second century.

[1] *De Praescript. Haeretic.*, 13, 14, 21; *De Virg. Veland*, 1; *Adv. Prax.*, 2, 3; *De Corona*, 3.

[2] *Adv. Haer.*, i, 10, 1; i, 22, 1; iii, 3, 3; iii, 4, 2; iv, 33, 7; v, 20, 1.

From the references in Tertullian and St. Irenaeus the author considers it evident that the Symbol was originally designed as a baptismal confessional—"a form of words in which the convert should declare his faith." But he goes a step further and answers his own query—"How are we to account for the existence in the late second century of an elaborate baptismal confession in which all the emphasis is on belief and not a word is said about conduct?"—by maintaining that it was directed against one form of error only, that propagated by Marcion. According to the latter, the God of the Jews was wholly distinct from the God of the Christians, who was neither creator nor ruler of the world as revealed in the Old Testament. This virtual Dualism cut at the root of the divine unity, the divine omnipotence, the divine providence, and it was against it that the first article of the Roman Symbol: "I believe in God the Father Almighty" (lit., "all controlling," "all governing": παντοκράτωρ), was directed. The second article likewise was not intended, Professor McGiffert thinks, "as a summary of what the Christians of the second century believed about Christ," but as a refutation of the Marcionite denial of the divine Sonship.[3] And the detailed reference to the incidents of the Incarnate Life is taken as a repudiation of the Docetism of Marcion, who, in common with the Gnostics, denied the reality of Christ's human nature. The omission of our Lord's baptism is explained by the exaggeration of it by the Docetic sects.

In thus attributing the object of the Symbol exclusively to a controversial desire to meet the negations of the chief heretics of the time by the counter-statements of orthodoxy, Professor McGiffert parts company with authorities of the reputation of Harnack and Kattenbusch who consider the Creed to have been drawn up with a missionary or evangelistic purpose quite independently of existing errors. He does not so much answer their arguments (which he admits at one time convinced him) as state in a positive form the evidence to be drawn from the nature of the various articles. The weak point in his position is undoubtedly the insertion of the clause: "I believe in

[3] Marcion asserted that Christ was the son of an inferior deity, not of God of the the Old Testament.

[4] Another article unconnected with Marcion was that on Christ's Resurrection. But this argument cannot be pressed, as contemporary writers like Tertullian (*Adv. Marc.* ii, 27; iii, 8, 11, 19; iv, 21, 43; v, 5, 7, 20; *De Carne Xti*, 5) represent Marcion as being *logically* bound to deny the doctrine, although in fact he accepted it.

. . . Holy Spirit") πνεῦμα ἅγιον without the definite article.[4] The Person of the Holy Ghost did not come within the range of Marcionite doctrine; the article, therefore, could have had no polemic purpose. And what was true of one clause might be true of all. The author does not attempt to meet the difficulty, but dismisses the subject airily in a paragraph of twelve lines with the weak plea that "*evidently* (*sic*) the mention of the Holy Spirit in the Creed was due simply to its occurrence in the baptismal formula upon which the Creed was based."

Yet, on the whole, we think that the balance of probability is in his favor. Of course, if it could be proved that the ancient Symbol existed in Rome anterior to the heresy of Marcion, his case would fall to the ground. Kattenbusch, indeed, strives to find traces of the several articles in the writings of Justin Martyr, but the references are altogether too obscure to carry conviction to any unbiassed mind, and Professor McGiffert adduces strong negative evidence from the *Apology* (I, 61, 65–7) where, in a detailed description of baptism, there is no mention of the Creed, to show that the Roman Symbol was then unknown. (*Cf.* Harnack's *Zeitschrift für Theologie und Kirche*, 1894, pp. 147 ff.)

The two writers are in agreement for once in their view that the Creed originated in Rome. Professor McGiffert, notwithstanding the importance of the point (for one of his strongest arguments in favor of the influence of the Marcionite heresy in the formation of the Symbol lies in the well-known prevalence of that heresy among the Roman Christians of the second century), contents himself with a somewhat cursory survey of the arguments on both sides. The older view, maintained by Zahn (*Das apostolische Symbolum*, pp. 37 ff.), by Casperi (a Norwegian theologian, the most voluminous writer on the subject of the Apostles' Creed) in his *Quellen*, Bd. III, p. 161, and recently by Professor Sanday of Oxford (*Journal of Theol. Studies*, Oct. 1899, pp. 3 ff.), placed the origin in the East, whence the Creed was later imported by Greek converts into the Imperial City. Although the author admits the force of the argument adduced by the last named of the above writers from the presence in the Eastern fourth century creeds of words and phrases lacking in the Roman Symbol, as we know it from Rufinus *Expositio Symboli*,[5] (A. D. 400) and a letter of Marcellus of Ancyra (A. D. 340), but reproduced by

[5] Migne, P.L., vol. xxi, col. 335–386.

St. Irenaeus,—he thinks that it may "fairly be concluded . . . that the Roman Symbol originated in Rome, not in the Orient."

As to the Apostles' Creed (merely an amplification of the Roman), the author gives it as his opinion that it "probably" had its birthplace in Gaul—a view defended by Harnack.[6] Its Western origin is plainly written on the enlargements which differentiate it from its parent. It is true that one addition "descended into hell" appeared first in Italy; and another, "eternal life," in North Africa, but both are found also later on in the texts of Western Europe." There is no possible ambiguity about the nature of the type of other additions, such as "creatorem coeli et terrae," "qui conceptus est," "passus et mortuus," "Dei omnipotentis," "catholicam," "communionem sanctorum."

Space forbids us to do more than mention an interesting account of the way in which the Western form of the Roman Creed became the baptismal creed of the Roman Church and filtered down through the centuries as the Apostles' Creed; with a digression on the growth of the legend ascribing the authorship to the Twelve. Of interest also is an elaborate dissertation on the Historical Interpretation of the ancient Roman Symbol,—special stress being laid upon the article on the Resurrection of Christ;—and a shorter critical note on the baptismal formula and its relation to the Creed.

Many of the Professor's theological statements are by no means as satisfactory as his main line of reasoning. Apart from his reference to Marcion's "radical Paulinism," his remarks on the Virgin Birth leave much to be desired. Not only does he assert that it was not "universally believed at the time when the Roman Symbol was composed," and that it "can hardly have originated with Matthew or Luke," but he goes on to say that "anyone (*sic*) who believed that Christ was really born and that His life was not a mere phantom, *even though he did not believe that Christ was born of a virgin*, was in accord with the spirit of the article 'Born of the Virgin Mary'"—and this although he admits that the author of the clause believed in "the miraculousness and uniqueness of Christ's birth" (p. 122).

Apart from its doctrinal blemishes, the book, which is of moderate price and of convenient size, deserves to be carefully studied as a well-balanced exposition of a subject that has lately been much discussed in non-Catholic religious circles.

[6] Kattenbusch is at first undecided on the subject, but in his second volume he places the origin in Burgundy (II, pp. 790 ff.).

VEXATA QUAESTIO, or What shall we do with the Friar? A brief sketch of three centuries of history in the Philippines. By W. Brecknock Watson. Part I. Manila: Impr. "Amigos del Pais." 1901. Pp. 44.

THE PHILIPPINE FRIARS. (1) Protest of the Catholic Centre Party; (2) Father Firmin San Julian's Statement; (3) Stephen Bonsal's Article from the "North American Review." Brooklyn, N. Y. City: International Catholic Truth Society. Pp. 20.

THE KATIPUNAN. An Illustrated Historical and Biographical Study of the Society which brought about the Insurrection of 1896–98 and 1899. Taken from Spanish State Documents. Manila: Imp. "Amigos del Pais." 1902. Pp. 335.

The quaint English of the two pamphlets *Vexata Quaestio* and *The Katipunan*, published by the Spanish press association, "Amigos del Pais," of Manila, does not lessen the value of the facts contained in them and their immediate importance for the American reader, who is thereby made familiar with the conditions of the present strife in the Philippines. This is particularly true of the little book dealing with the formation and influence of the native secret society which, supported by malcontents and ambitious politicians in Spain, managed to poison the minds of the Filipino population against the home government and those who most effectually represented that government by maintaining principles of law and order through the influence of religion. The reports of the officials cited in this pamphlet are, it appears, entirely trustworthy. We hope to return to this subject in a more extended treatment from competent hands in our next issue.

The three papers published by the Catholic Truth Society of Brooklyn are already known through their having appeared in the newspapers, but it is well to have the statements from these representative sources in this permanent form.

COMPENDIUM THEOLOGIAE MORALIS Beatae Mariae Virgini dicatum. Auctore Fr. Josepho Calasanctio Card. Vives, O. M. Cap. Editio septima, aucta et emendata. Romae, Ratisbonae, Neo-Eboraci: Fridericus Pustet. 1902. Pp. 668. Price, $1.25.

This is a truly serviceable *Compendium of Moral Theology* for the use alike of students and clergy, and deserves the widest circulation everywhere. It differs from the popular text-books, such as Lehmkuhl, Aertnys, Sabetti, Bierbaum, Konings, or Tanquerey, in being much more succinct than any of these. On the other hand it is more com-

plete than the summaries of Melata or the older manual of Togni; and although these are helpful for recapitulation at examinations for ordination, they do not treat the entire range of moral topics exhaustively enough to equip the student for practice in the sacred ministry, except with the aid of a larger reference work. But here we have everything well digested, and yet without entering into hypothetical cases or lengthy argumentation as to varying opinions touching matters in which it is possible to adopt at once a safe opinion serviceable in practice. The definitions are clear, the principles distinctly stated, and the decisions rounded by references to authentic sources. It is quite up-to-date in the matter of citing of decrees, and altogether it offers itself as a genuine aid for review study and a sharpening of that theological faculty which helps the priest to solve cases of conscience by resort to fundamental teaching, instead of merely looking for precedent cases in the traditions of casuistry. The dedication itself which the erudite Cardinal, nobly proud of his humble Franciscan allegiance, makes to the Virgin Mother of Good Counsel, inspires the earnest student who takes up the volume with confidence in the wisdom of its contents. The price, too, is so low that it appears as if the book were only seeking to be read.

SUNDAY OBSERVANCE: An Argument and Plea for the Old English Sunday. By the Rev. F. Meyrick, M.A. London: Skeffington & Son. Pp. xv–213. Price, 3s. 6d.

The first question that naturally arises from the perusal of the title is, What does Canon Meyrick mean by the "Old English Sunday" which he wishes to revive? An answer will be found in his third chapter, where he essays to prove that the Christian Sabbath is a "reformation and adaptation of the existing Jewish Sabbath." He condemns the mediæval observance of Sunday as lax, and has not a good word for the innocent amusements indulged in on that day by his post-Reformation forefathers, who were untouched by Puritanical fanaticism. In fact, his view of the observance of the Lord's Day is diametrically opposed to the usual notion of what took place on an "Old English Sunday." He will have nothing to do with the mildest form of recreation on the weekly Feast of the Resurrection, which to his mind differs nothing from the Jewish Sabbath. He would banish from it as a thing of evil every harmless pleasure, even on the part of the careworn toilers whose labors only cease with the ending of the week, and stamp as a violation of a Divine command any in-

dulgence of a secular nature. He attempts to twist Scripture to his purpose in this wise:—"The Mosaic interpretation was softened by Christ. The injunctions of Moses are not formally abrogated, nor was the sanctity of the Sabbath diminished by one jot or tittle; but a more spiritual manner of sanctifying the day than that which takes the form of refusing to perform the external acts is found. If, however, the Christian form of observance is in that respect less severe than the Jewish, in other respects it is even more stringent, for it binds not only the act but the intention, and . . . it covers a far wider ground, not being confined to this and that specified thing, but affecting the whole of the conduct." The longest chapter of the work is devoted to answering in the negative the question: "Should Sunday be made a day of greater amusement?" Why "greater," we wonder, seeing that Canon Meyrick considers *any* amusement unlawful? He even refuses to sanction such an educational form of pleasure as the frequentation of museums and art-galleries by those artisans, shop-keepers, clerks, and the like, whose business during the week prevents them from entering them at other times.

The chapter in question is taken up with an attempted reply to two very pertinent objections: (1) That the prohibition of amusements turns the Christian Lord's Day into a Judaical Sabbath; (2) That the introduction of further amusements would have the effect of refining and elevating the masses. His answer to the first objection is of the weakest, merely consisting of a number of disjointed quotations from St. Augustine, Prudentius, St. Chrysostom, and Theodoret, to show that Jews in the early part of the Christian era admitted amusements on their Sabbath. This is the veriest *ignoratio elenchi*, since the point in dispute is not the practice prevalent in the Jewish Church *after* the advent of Christ, but the stringency of the Mosaic law certainly observed in its fulness *during* His earthly lifetime, seeing that He more than once denounced the Pharisaism that made man exist for the Sabbath, not the Sabbath for man.

The argument in reply to the second objection is considerably stronger, and with some of it we are in cordial agreement. It is unfortunately perfectly true that a large section of the wealthy classes do desecrate the Christian Day of Rest without the shadow of an excuse. Pleasure parties, boating excursions, concerts, elaborate luncheon and dinner parties, have become more the rule than the exception on Sunday with a certain section of society. How much needless labor this wanton violation of the one day of the week that

should be observed as in some way sacred to God, entails upon the already hard-worked members of a lower class, needs no demonstration. We answer at once in the negative Canon Meyrick's indignant query, "Can there be any possible good in giving one more day of idle pleasure to those who can make any other day, if they please, a day of pleasure?"

But he spoils the undoubted force of his contention by exaggeration. Because the rich and idle abuse Sunday is no valid reason why the poor and hard-worked should not make lawful use of it. What is that lawful use? Does it forbid the various forms of innocent recreation, mental and bodily, which relax the mind and brace the body to undergo cheerfully and strenuously the labors of another week? Assuredly not. Christ's strongest reproofs were addressed to those who would destroy the freedom of action which made men God's children, serving Him lovingly and willingly, and not His slaves groaning under the whip of a harsh law. The Pharisaism that would close even a museum or a picture-gallery to a seamstress on Sunday merits His rebuke as much as the "upright men" of His day who bound "burdens on men's shoulders grievous to be borne."

The fallacy of Canon Meyrick's whole line of reasoning lies in the sharp distinction which he makes between "religious" and "secular" acts. Sunday to him should be devoted to psalm-singing, Bible-reading, worship, and religious meditation; anything outside those narrow limits should be shunned. But this is to forget the sacredness of the commonest things. "The earth"—not one part of it only—"is the Lord's and the fulness thereof;" the *whole* man, body as well as spirit, belongs to God, and has to be employed in His service. No amusement need be secular, *i.e.*, out of all relation to Christ,—no indulgence tabooed as sinful, so long as the intention is good. The young man who worships God in God's own appointed way on Sunday morning, and plays a game of cricket or football in the afternoon, is performing in either case a lawful act. He is developing his body, making it the better able to bear the fatigues of six days' labor, while not forgetting his spiritual duty to his Maker. Canon Meyrick sneers at the French Sunday; but he does not mention the comparative attendance at church in France and in England. The Rev. Dr. Linklater, an Anglican clergyman of wide experience in the East End of London, gives a graphic description of the quiet of an English Sunday. Nothing, he tells us, can be more appalling than that mingling of a brutish stupor, the after-effects of a Saturday-

night carousal, with utter irreligion. The bread-earner rises towards noon, after reading his sporting Sunday paper in bed, and joins his slatternly wife in a heavy dinner—the great event of the day—which makes him drowsy until the public houses are open. His "day of rest" is a day of absolute animalism.

The author in his severe strictures on the French Sunday should, moreover, have mentioned two facts: first, that France does not stand alone in this respect, but is on precisely the same footing as all other European countries, Protestant quite as much as Catholic; and secondly, that there is an influential Society sanctioned by the Church, having its headquarters in Paris itself, to promote the better observance of the day.

In spite of a good deal in it that calls for criticism, the book has some points to be praised. The chapter on the practice of the Primitive Christians as to Sunday observance is well written; the many extracts from early writers, such as St. Justin Martyr, St. Ignatius, and Pliny, are well-chosen, and the section on the Agape is particularly interesting. We also note later on an eloquent passage from a sermon by Padre Agostino di Montifeltro, and there are some wise extracts from the Rev. W. B. Trevelyan, a writer who adopts a far saner line than Canon Meyrick. But we cannot say much in recommendation of a book conceived in such a harsh, Puritanical, almost Pharisaic spirit, written with so much exaggeration alike of sentiment and argument, and lacking so completely a sound common sense, not to speak of Christian charity.

AN APOLOGY FOR THE RELIGIOUS ORDERS. By Saint Thomas Aquinas. Edited, with Introduction, by the Very Rev. Father John Proctor, S.P.M., Ex-Provincial of the English Dominicans. London: Sands & Co. 1902. Pp. 488. Price, 6s.

Father Proctor tells us in his interesting Introduction that this is the first translation into English of two little known, but highly practical, works of the Angelic Doctor. They are to be found among the seventy-two *Opuscula* or Tracts. The first had for its original title, "Against those who attack religion, that is, the religious profession," and was published, according to Fleury, the great French historian, in A. D. 1257, having been read before the Pope the previous year at Anagni. "In it," he adds, "the holy Doctor answers, in detail, and with logical precision, the reasons and authorities which were brought forward by William of St. Amour."[1] It was in fact an

[1] *Hist. Eccl.*, t. V, l. 84, n. 42.

Apology for the Mendicant Friars, together with an exposure of the unjust accusations brought against religious in general.

The translator has adopted this heading for the two treatises—the second, "Against those who would deter men from entering religion," being of like tenor with the first, although hardly so important. He justifies their publication in a popular form on the plea that a work from the pen of one of the greatest theological lights of any age cannot fail to be of peculiar interest to many at the present time, when, no less than in the thirteenth century, the religious orders "in France, in Spain, in Portugal, in Italy"—he might have added "in the Philippines"—"are passing through a crisis, which, though not a 'new thing' in their annals, is, to say the least, searching and severe"

In his Introduction of some forty pages, Father Proctor dilates in somewhat rhetorical, not to say rhapsodical, fashion on the persecutions from without and from within, that have tried "as by fire" the religious orders of the Church ever in the forefront of the battle. "They have ever been the spiritual uhlans, and advanced guard of the battalions of the Church, (and) consequently must expect to bear the brunt of the enemies' lance and spear." Yet they need never fear of the ultimate issue of the trial. "They may be subjected to the ordeal of fire, but their garments will not be scorched by the flames. He who protected Israel will protect them." Their past history of struggle and persecution is the sure pledge of present victory. "The death and burial are the harbinger of a glorious resurrection." We are glad to note that the learned writer does not hesitate to admit that these attacks have not always been without cause. "Religious," he says with much truth, "are not always religious. They do not at all times, and in all places, live up to their sacred calling. *Cucullus non facit monachum*. . . . A Judas in the college of the chosen twelve, a Nicolas amongst the deacons in apostolic days, a Julian in the early ages of the Christian faith, are historic instances, which have prepared us for the existence of occasional infidelity to the principles and practices of the higher life, amongst members of the religious orders. Religious men and women, like other men and women, are human . . . There have been times, there have been countries—there may be countries to-day—where the water and fire and the fan were, and perhaps are, needed. It is better for the body that the cancer should be removed by the surgeon's knife."

The rest of this part of the Introduction is taken up with a particularly clear and concise summary of the spirit and organization of the "active orders," and more especially of the great order of St.

Dominic,—the *Dominicani* or "watch-dogs of the Lord." Father Proctor argues ingeniously that the Friars of the Middle Ages ought to appeal forcibly to the minds of English-thinking and English-speaking people of the present day. The constitution of the Dominican Order, for example, is essentially democratic; its spirit is liberal, its government is elective. Each convent is governed by a Prior chosen by the community, subject to the approval of the Provincial. The Provincials are chosen by the representatives of each Priory, subject to the approval of the General who is himself elected by the Provincials and others selected by the members of each Province for that purpose—his election being subject to the consent of the Pope. Hence unity of organization, based on freedom, is the proud boast of the Order to which St. Thomas has given a world-wide celebrity. It is the glory of the Dominican Friars that, "like the robe of Christ, their Order has remained seamless and undivided for nearly seven hundred years"—the outward and visible sign of the essential unity existing among its members.

Father Proctor devotes the last twenty pages of his elaborate Preface to a narration of the attack made by William of St. Amour, a doctor of the Sorbonne who out-Abelarded Abelard (if we may coin a phrase) in his bitterness against the then newly instituted Orders of Friars. Abelard only attacked the Orders incidentally by inveighing against their abuses; St. Amour, "the violent and turbulent Doctor of the Sorbonne, aimed at the very heart of the religious system." His chief work was entitled "De Periculo Novissimorum Temporum," and it was in fact, though not in name, a fierce diatribe against the Friars of the new Order, to whom he applies the solemn words of St. Paul to Timothy (II. Ep. 3: 1–7). The work was delated to the Holy See by the saintly King Louis of France, a life-long friend of the Friars. He sent two doctors of theology to Anagni, the residence of the Papal Court, to protest against its errors and to defend the maligned Orders. S. Bonaventure represented the Franciscans, and several unnamed Dominicans accompanied him. Pope Alexander IV appointed two commissions to examine the work, and among the members of the second tribunal (all of whom were Dominicans) was St. Thomas Aquinas. The General of the Order singled him out to refute St. Amour. His treatise "Against those who attack the religious profession" was the fruit of his obedience. After a brief Prologue on the scope of his work, the Saint begins by explaining the nature of the religious life and shows that its perfection consists in the facility which it affords of uniting the soul to God by detachment from

all earthly ties. "Perfection of religious life depends [he concludes with characteristic largeness of spiritual outlook] more upon interior justice than upon external abstinence." He then proceeds to consider *seriatim* the objections of his adversary. According to his usual method (familiar to all students of the *Summa*), he first states with a fulness that leaves nothing to be desired—a characteristic imitated by Cardinal Newman in our own day—the opponent's arguments, and then refutes them convincingly. These arguments are concerned with the following knotty problems:—(1) Whether it be lawful for a religious to teach; (2) Whether he may belong to a *college* of secular teachers; (3) Whether a religious, not charged with the care of souls, may lawfully preach and hear confessions; (4) Whether a religious be bound to manual labor; (5) Whether he may renounce all that he possesses, retaining no property, either private or common; (6) whether a religious, especially one belonging to a Mendicant Order, may lawfully live on alms.

Taking the treatment of the last question as typical of the treatment of the rest, we find that St. Thomas begins the discussion by citing eleven arguments of his opponent, drawn from Deut. 16: 19; Prov. 22: 7; 1 Tim. 5, and the gloss. on St. Mark 6: 8, etc., against receiving alms in general, and further arguments against begging, even on the part of preachers. He refutes these contentions by appealing to Scripture (1 Cor. 9: 2, 7; 2 Tim. 2: 5; Psalm 39: 18; 69: 6; 108: 17; St. Luke 19: 5; St. Mark 11: 11; 2 Cor. 8: 9; etc.), to the example of SS. Benedict (see St. Gregory's Dialogues, 1, 2), and Alexis, "the beggar of God," and the teaching of St. Augustine (*De op. monach.*), St. Jerome (*Ep. ad Ocean.*, and *contra Vigilant.*); and Aristotle (*Ethics IV and VIII*).

The rest of the *opusculum* is taken up with a reply to such objections against religious as the coarseness of their habit (!), their constant travelling ("for the good of souls," the Saint adds), for their studies and systematic preaching, for going to law, for frequenting the courts of sovereigns, for being the ambassadors of Antichrist (from a mistaken interpretation of 2 Tim. 3: 5), and even for actions manifestly good, such as prayer and fasting.

The second treatise (*Opusculum* XVII)[2] is much shorter than the first (*Opusculum* XIX[3]). Its purport may be summarized as a detailed treatment of vocation to the religious life, together with an answer to such questions as to whether the young, whether recent converts,

[2] In the Parma edition of St. Thomas' works it is *Opusc.* III.

[3] In the Parma edition of St. Thomas' works it is *Opusc.* I.

whether sinners of a deep dye, may embrace religion. The wisdom of vows is discussed; and the circumstances under which they are lawful are clearly stated. Community life and religious poverty, in their obligations, are dispassionately considered with all the Angelic Doctor's customary clearness and sharply-defined precision.

It will be seen that the work is of a most practical nature. Its object is to foster vocations, and to guide both directors in dealing with penitents and individual souls striving to enter the straight way leading to perfect life. There is a wealth of homely illustration, an abundance of Scriptural quotations, and an intimate knowledge of human nature in its strange blending of weakness and strength, spiritual yearnings and sensual cravings, in both parts of the volume, that should make it find a permanent home in England and America. We need only add that Father Proctor has done his work of translation fully and well, allowing St. Thomas to present his own thoughts, arguments, and counsel, without adventitious assistance, but in an intelligible form, to the English-speaking reader, who owes the translator a debt of gratitude as much for his introduction, as for the care he has bestowed upon the table of contents and index no less than upon the treatises themselves.

SUMMULA PHILOSOPHIAE SCHOLASTICAE ad usum adolescentium Seminarii B. Mariae de Monte Melleario concinnata. Vol. I. Logica et Ontologia. Dublin: Browne and Nolan. 1902.

The modest title of this volume, a small summary of scholastic philosophy for the use of the seminarians at Mt. Mellary (Ireland), may lead the reader interested in its type of subject-matter to pass over the work as having only a local purpose and adaptation. Such an inference, however, if right, would not be true. Though indeed a summary it is sufficiently large, with its four hundred pages, to cover comprehensively something more than the barest essentials of logic and ontology. If the other sections of the contemplated course are to receive proportionate treatment, the work when completed will rank in extent with such well received authorities as Liberatore, Zigliara, Farges, etc. A little examination of its contents shows, moreover, that as regards the plan, method, development, and last, but not least, the material make-up of the book itself, it is not undeserving a place beside these standard authors.

Though the nature of the subject leaves little scope for originality, and the modest writer would be the first to disclaim all aiming at such a quality, it possesses a feature deserving of special notice, viz.,

its references to corresponding literature in English. Harper, the Stonyhurst Series, M'Cosh, and other kindred authorities are drawn upon with the advantage of not only clarifying the text, but of accustoming the student to express scholastic arguments in modern speech, a pedagogical discipline especially to be emphasized in these days.

BIBLIOTHEQUE DU CONGRÈS INTERNATIONAL DE PHILOSOPHIE. IV. Histoire de la Philosophie. Pp. 529. Paris: Librairie Armand Colin, 5 Rue de Mézieres. 1902.

The present volume completes the series devoted to the essays prepared for discussion at the International Congress of Philosophy held at the last Paris Exposition. The three preceding volumes contained the papers on General Philosophy and Metaphysics, Logic, Ethics and History of the Sciences. The contents of the volume at hand include a large range of subjects selected from wide fields in the history of philosophy. The first three papers, contributed respectively by Professors Boutroux of the Sorbonnè, Deussen of Kiel, and Gourd of Geneva, deal with the object, method and progress of the history of philosophy. The next four discuss various aspects of Plato's system. The two following treat of certain Aristotelian concepts. There are also studies on the inductive logic of the Epicurean school; on the value of scholasticism; on Descartes' doctrine of memory; on Boyle's principle of morality; on Hume and the critical philosophy; on Kant's teaching as to the notion of experience; on the Swedish philosophy during the first half of the nineteenth century; on the idea and method of Compte's philosophy. The closing paper treats of the philosophy of Nietsche. It need hardly be said that the essays are greatly condensed in order to cover so much ground. Their value for the student consists in their bringing together in a convenient form the views on their respective subjects of many writers prominent in the contemporary world of philosophy.

THE REPRESENTATIVE MEN OF THE BIBLE. By George Matheson, D.D., LL.D., F.R.S.E., formerly Minister of the Parish of St. Bernard's, Edinburgh. Londor: Hodden & Stoughton. 1902. Pp. 369.

By "representative men" Dr. Matheson informs us that he means those who "represent phases of humanity irrespective of place and time," and he considers them in his volume only "in those incidents in which they *are* thus representative." He stands, as it were, in a studio and selects certain portraits for discussion. [He disarms criticism of his omissions; *e.g.*, Lot and Isaias, surely "representative men," are not mentioned, by promising to treat other characters in

a future volume.] In a preliminary chapter he dilates somewhat fancifully on the world-galleries whose walls are hung with paintings of characteristic human types—the Chinese gallery with its great collection of heroes, possessing an ideal but incapable of progress; the Indian gallery where the portraits "express only one attitude—the face upturned to the height, the hand outstretched to grasp the mist upon the mountains;" and the galleries of Greece and Rome—the one presenting the type of moderation, the other a life of hard, unlovely discipline. None of these galleries reveal more than the *accidental* features of man; they lack the note of universality. The Jewish nation alone produced *representative* men, figures, that is to say, that revealed human nature in its myriad varieties, its complex phases as changing as the waters of an ever-flowing stream. The portraits of the Jewish gallery make us forget the environment of their subjects. And the reason is because they are "all portraits of youth —the age of spontaneity. . . . They are men of the morning . . . the burden and heat of life's day has not caused them to wax old."

True to this characteristic of his types, the author begins with the consideration of "Adam the Child." The story of the first man is often ridiculed as childish. "So it is," says Dr. Matheson, "but why? Because it is a description of childhood itself. . . . The man who painted Adam has done what neither the ancient Pagan world nor the Mediæval Christian world succeeded in doing." [The latter because it magnified the childhood of Jesus by making it miraculous.] "He has painted a real child, a type of all childhood." The author then proceeds to illustrate Adam's simplicity, his wants, his sense of beauty, his sense of possession. He drives home tellingly the representative character of his subject in showing how Adam entered the world with a double bias—earthwards and heavenwards. Just as there strove within him two forces for the mastery, so in the dawning consciousness of every human being there are signs of a twofold parentage, the one from earth, the other from the breath of God. But he does not make as much use as he might of the full meaning of the impulse after beauty in the child stretching out its hand to grasp a bright object, to which Adam's cry as he looked upon the fruit: "It is good for food and pleasant to the eyes," corresponded.

The succeeding chapter on "Abel the Undeveloped" is a poetical and imaginative description of Abel's sacrifice looked upon as a germ-cell of the later sacrificial code of Israel, and the incipient first-fruits of the Sacrifice of the Cross. His character, the type of undeveloped weakness, is well contrasted with that of Cain, a sturdy, matter-

of-fact, materialistic agriculturist. We note an allusion to original sin in the statement that "the sin of the Garden had become procreative," lacking in the former chapter where one would naturally look for it. Theology, however, is not Dr. Matheson's strong point. He is thoughtful, highly original, with a style that has all the features of poetry, but he does not let dogmatic, any more than historical or scientific, fact curb the exuberance of his imaginative fancy.

The next three chapters, dealing with Noah the Renewer, Abraham the Cosmopolitan, and Isaac the Domesticated, respectively, are the most superficial in the book. Yet there are suggestive thoughts in them here and there, as, for instance, the unobtrusiveness of Noe, whose name means "rest," and who was essentially "the quiet man" of a bustling age given over to gross materialism, and his optimism which made him hope up to the end that the people around him would repent. Again, the writer brings out well the analogy between the three first trials of Abraham and the temptations of Jesus, and he has an original exegesis of the statement in Hebrews that Christ "suffered outside the camp," which he takes to mean that "the trials of a captain are greater when unappreciated by his army," applying the idea to Isaac's long life of suffering in secret.

Of the remaining portraits,—Jacob the Aspiring, Joseph the Optimist, Moses the Practical, Joshua the Prosaic, Samuel the Seer, David the Many-sided, Solomon the Wise, Elijah the Impulsive, Elisha the Imitative, Job the Patient,—the first and the last please us best. There is shown in them keen insight into character, warm sympathy with human failings, much originality of thought, and fulness of expression. Dr. Matheson has the faculty of entering into the thoughts of his subjects. Jacob is to him a "mentally aspiring man," selfish only that he may reach the heights of unselfishness; Job is the personification of patience, never more so than in his bitter outcry when human sympathy is taken from him.

It does not need a foot-note to tell us that the volume is a *rechauffé* of various lectures. The form is homiletic throughout. The long rhapsodical prayers which end each chapter, although at times rising to real eloquence and always beautiful in diction, are altogether too formal, savor too strongly of the Presbyterian pulpit, for the Catholic who prefers the simplest spoken communings of the soul with God. But there are enough suggestive ideas, casting light more than once upon difficult passages in the Scriptures, to make the book useful, especially to priests contemplating a course of sermons on Old Testament characters.

Literary Chat.

Hodges, Figgis & Co., of Dublin, announce a new edition of Wakeman's "Handbook of Irish Antiquities," by John Cooke, Fellow of the Royal Society of Antiquaries, and well known as the editor of Murray's Handbook for Ireland.

Students interested in the question of Philippine culture and government will be glad to know that, through the medium of the Very Rev. Dr. Thomas C. Middleton, of the Augustinian Order at Villanova, there have been established at various intellectual centres in the United States repositories of useful works relating to the Philippines. Not only are such books to be found in the various Historical Societies, but the Library of Congress at Washington, the Public Libraries of New York, Boston, Philadelphia, and Chicago, have also been supplied. Thus scholars are enabled to obtain accurate and just information on a subject greatly misunderstood, and hence largely misrepresented.

Dr. Middleton is, of all other men, in a position to point out the authorities to be studied, and also the works *not to be followed*, by scholars seeking to obtain light on Philippine matters. His researches, in connection with the Historical Society of Philadelphia, and more so with the Religious Order which was the first established in the Philippines, and which has been the most influential there for three centuries, give him special opportunities for explaining the situation. If our Catholic Federation should see its way to take up the matter under his counsel, there would be no danger of hot-headed advance, or of purely political partisanship.

Lady Gregory, author of *Cuchulain of Muirthemne*, has collected a number of choice studies and translations which are to be published under the title of "Poets and Dreamers."

A paper on Christian Science, its methods, progress, and the dangers which encompass its popularity, appears in the December issue of the *North American Review*. Although we are inclined to quarrel with the author, Mark Twain, because of his flippancy on other occasions in dealing with certain religious topics which are foreign to his study, it must be admitted that there are in the present instance very serious reflections bound up with his half ludicrous arraignment of Mrs. Eddy's methods of playing upon the weakness of human nature. Mr. Clement's cynical good humor furnishes really a most effective way of neutralizing the unthinking enthusiasm which the system of "Christian Science" is apt to engender among the credulous masses. What he stigmatizes recalls in truth the "abomination in the Holy Place" foretold by the Prophet.

Professor Emil Hirsch, of the University of Chicago, takes up the editorship of the Biblical Department in the new *Jewish Encyclopedia*. The first two volumes have been edited by Professor Morris Jastrow, of the University of Pennsylvania.

The third volume of the Rev. Dr. Breen's Exposition of the Four Gospels is announced. Published at St. Bernard's Seminary, Rochester.

Cincinnati brings out a new popular magazine of good promise. Fifty Catholics have formed a stock company to launch the enterprise, and the first number of "*Men and Women*," a Catholic home Journal, published monthly, at one dollar per year, is full of interesting material, well illustrated. Among the contributors announced are most of the names familiar in Catholic magazine literature intended to entertain. The editor, Mr. S. A. Baldus, leads with a well-written chapter on Washington Irving, the first in a series of American Men of Letters. We trust the *motif*, which the editor seemingly assigns as the chief reason for the new enterprise, viz., the high price of the Catholic magazines in the field, is not a serious one. It may be true, as he says, that "the reading world has discovered long ago that a first-class magazine can be purchased for One Dollar," but that reading world is of a particular sort. As among our secular periodicals there are one-dollar magazines and five-dollar magazines having their respective clientele, so with Catholic magazines. The fact that the large mass of our Catholic population belongs to the poor and middle class may sufficiently account for the hope that a cheap magazine such as *Men and Women* promises to be, will reach a large circulation; and it also furnishes the reason why the magazines which exclusively appeal to a different class must have a limited patronage. A really good Catholic magazine can not, however, do what the secular magazines do in the way of indiscriminate advertising, without at once lowering its standard, and that is a point not to be left out of sight—even by such enterprising business syndicates as "The Men and Women Publishing Company." We hope their success in gaining the confidence of the reading world by presenting first-class literary matter of a thoroughly Catholic tone and without truckling to personalities or serving party spirit, may in the future keep the managers from the temptation of permitting displays that suggest the very evils which the writers of such a magazine are supposed to combat. That is the thought which remained uppermost in our mind after looking over this first number of the new magazine, cover and all.

The Hon. James Bryce, author of "The American Commonwealth," has collected a number of biographical sketches, containing estimates of Dean Stanley, Gladstone, Cardinal Manning, Lord Acton, and other men of recent English society. To be published by the Macmillans.

The first volume of the projected "Cambridge Modern History" course has just appeared. It takes up the Renaissance period. The remaining eleven volumes will deal with the Reformation—the Wars of Religions—the Thirty Years' War—Bourbons and Stuarts—the Eighteenth Century—the United States—the French Revolution—Napoleon—Restoration and Reaction—the Growth of Nationalities—the Latest Age. Lord Acton, with whom, as Regius Professor of Modern History in the University of Cambridge, the series originated, though a Catholic, was known to be of extremely liberal tendencies. Mr. Lilly, in his recent historical survey of the Reformation period, leaves the impression that he reflects most faithfully Lord Acton's particular bias. Hence some estimate of the tendency of the Cambridge History series may be formed from Mr. Lilly's work.

Mr. Magnus Maclean's History of Celtic Literature promises to be a valuable as well as interesting contribution to the already important store of Celtic studies with which the recent revival has made us familiar. It deals in detail, not only with the cultivation of letters in Ireland, but with the very wide influence which Celtic teachers and writers exercised upon English and Continental scholarship. Scottish, Welsh, and Breton relics of poetry and fact, incorporated in the great books of Saga, are treated with literary judgment and skill, if we may form an estimate from the publishers' (Blackie & Son, London) prospectus.

The *Independent*, speaking of "Ecclesiastical Rebellion in the Philippines," headed by a disgruntled native priest, discriminatingly remarks that "the character of those prominent in this movement is such as to discredit it."

Professor Harnack's volume on the mission and extension of the Christian religion during the first three centuries has just reached us (Hinrich, Leipzig). We notice cursorily that he discredits the canons of the Apostolic Council of Antioch mentioned by Innocent I. It may be with these canons as it is with the legislative forms of the Mosaic Pentateuch. They received their present form of expression in subsequent revisions of the original, together with such modifications as were required for practical application at a later time. But this does not the less make them the acts of the former age. We know from the statements of St. Luke (Acts 11 : 22) and of St. Paul (Galat. 2 : 11) that there was a convention of the heads of the Church at Antioch immediately after the Council in Jerusalem (A. D. 51), and that an important decision was there promulgated regarding the attitude of the Pagan converts toward the old Mosaic observances. That is precisely the burden of the nine canons referred to as the legislation of the Synod of Antioch; and the form in which Innocent I (elected A. D. 402) refers to it in his letter to Alexander, the Bishop of Antioch, might well be regarded as a purely accidental modification which affects the substantial origin of the document no more than the divisions into chapters and verses found in modern Bibles affect the genuine character of the Sacred Writings.

The Society for the Preservation of the Irish Language has issued its first number of essays as the result of Father MacTernan's legacy. It is from the pen of Father P. S. Dinneen. These sketches have the English translations on opposite pages, with a reference list of Irish words at the end of the volume.

Charles E. Peabody Co., of Boston, which has recently purchased *The Literary Review* and all copyrights of books belonging formerly to Richard Badger & Co., has recently issued a new edition of *Sliav-na-mon's* (Father James B. Dollard) "Irish Mist and Sunshine."

A remarkable brochure, entitled *L'estetica dell'occhio umano in Dante Alighieri* (150 pages) recently appeared from the pen of Nicola Rillo. In it the learned Neapolitan traces the psychical power exercised by the human eye, and the scholastic doctrine making that organ the mirror of the soul, as illustrated in the writings of Dante—the eye of Beatrice, those of the Angels, of Comtess Matilda in the *Purgatorio*, finally of Francesca da Rimini, Ugolino, Lucifer. It is an interesting study both from the philosophical and the literary point of view, and sure to please readers of the Italian Dante.

Books Received.

THEOLOGY AND ASCETICA.

MISSALE ROMANUM. Ex Decreto Sacros. Concilii Tridentini restitutum S. Pii V Pont. Max. jussu editum, Clementis VIII, Urbani VIII, et Leonis XIII auctoritate recognitum. Editio Tertia post alteram Typicam. Cum. Approb. S. Rit. Congr. Ratisbonae, Romae, Neo-Eboraci et Cincinnati: Sumpt. et Typis Friderici Pustet. S. Sedis Apost. et S. Rit. Congr. Typogr. MDCCCCIII. Price, $1.85.

DE DEO UNO ET TRINO. Disputationes Theologicae in Iam Partem D. Thomae Qu. II—XLIII. Auctore Josepho M. Picirelli, S.J. Neapoli: Typis Michaelis D'Auria. MCMII. Pp. 1418.

APOLOGIE DES CHRISTENTHUMS. Von Dr. Herman Schell, Prof. Univ. Würzburg. Bd. I. Religion und Offenbarung. Second Edit. Paderborn: Ferdinand Schöningh. 1902. Pp. 482.

COMMENTARIUS IN LIBRUM JOSUE. Auctore Francisco de Hummelauer, S.J. (Cursus S. Scripturae.) Parisiis: Sumpt. P. Lethielleux. 1903. Pp. 531.

ARA COELI, oder Die Sibylle des Augustus. Eine mittelalterliche Legende von Anton de Waal. Rome, 1902. Pp. 89.

THE TRUTH—MIXED MARRIAGE. By Rev. Charles Coppens. Chicago: Catholic Truth Society, 562 Harrison St. Series I, No. 15. Pp. 30. Price: one cent.

HISTOIRE DES LIVRES DE NOUVEAU TESTAMENT. Par E. Jacquier. Vol. I. Paris: Librairie Victor Lecoffre. 1903. Pp. 490.

MANUALE LITURGICUM juxta novissimam Rubricarum reformationem et recentissima SS. Rituum Congregationis Decreta. Cura et studio P. Victorii ab Appeltern, Ord. Frat. Min. Cap. Pars I De Rubricis Missalis Romani. Pars II De Rubricis Breviarii Romani. Pp. 594 et 253. Malines: H. Dierickx-Beke Fils.

THE MIRROR OF PERFECTION. Being a Record of Saint Francis, of Assisi, ascribed to his companion, Brother Leo of Assisi. Now translated by Constance, Countess de la War. With an Introduction by Father Cuthbert, O.S.F.C. London: Burns & Oates. New York, Cincinnati and Chicago: Benziger Brothers. 1902. Pp. 185. Price, $1.35.

THE YOUNG CHRISTIAN TEACHER ENCOURAGED, or Objections to Teaching answered. With an Introduction by the Right Rev. John L. Spalding, D.D., Bishop of Peoria, Ill. By B. C. G. St. Louis, Mo.: B. Herder. Pp. 381. Price, $1.25.

THE HOLY GHOST AND THE HOLY EUCHARIST. By Rev. A. A. Lambing, LL.D., Pp. 30. Price, $0.10.

APHORISMI EUCHARISTICI. Id est Piae et Sanctae Celebrationis Monita ex praecipuis ascetis collecta et illustrata opera Jacobi Merlo-Horstii. Textum recensuit adjectis precibus, denuo edidit Jos. Aloisius Krebs, C. SS. R. Cum Vita et effigie auctoris. Ratisbonae, Romae, Neo-Eboraci et Cincinnati: Frideric. Pustet. MDCCCCII. Pag. 158. Price, $0.60.

A SHORT RULE AND DAILY EXERCISE for a Beginner in the Spiritual Life. By Ludovicus Blosius, O.S.B. Translated by Bertrand Wilberforce, O.P. St. Louis, Mo.: B. Herder. MCMII. Pp. 63. Price, $0.20.

COMFORT FOR THE FAINT-HEARTED. By Ludovicus Blosius, O.S.B. Translated from the Latin by Bertrand Wilberforce, O.P. St. Louis, Mo.: B. Herder. MCMII. Pp. 178. Price, $0.75.

OXFORD AND CAMBRIDGE CONFERENCES. Second Series, 1900—1901. By Joseph Rickaby, S.T. St. Louis, Mo.: B. Herder. 1902. Pp. 246. Price, $1.35.

LETTERS TO YOUNG MEN. By Henry Dominique Lacordaire, O.P. Translated from the French. New Edition, revised and enlarged. New York, Cincinnati, Chicago: Benziger Bros. 1902. Pp. 236. Price, $0.75.

THE RELIGIOUS STATE. The Episcopate and the Priestly Office. By Thomas Aquinas. A Translation of the minor work of the Saint on the Perfection of the Spiritual Life. Edited with Preface by Very Rev. Fr. Proctor, S.T.M. St. Louis, Mo.: B. Herder. 1902. Pp. 166. Price, $1.00.

ONWARD AND UPWARD. A Year Book compiled from the Discourses of Archbishop Keane. By Maurice Francis Egan. Baltimore and New York: John Murphy Company. Pp. 387.

ADDRESS OF THE RT. REV. WILLIAM H. O'CONNELL, D.D., Bishop of Portland, Maine, to the Graduating Class of Boston College, June 18, 1902. Pp. 24.

PROGRAMME DES COURS DE L'UNIVERSITÉ CATHOLIQUE DE LOUVAIN. Anné Academique 1902–1903. Louvain: Typogr. Jos. Van Linthout, imprimeur de l'Université. 1902. Pp. 98.

A COMPLETE CALENDAR OF THE ENGLISH SAINTS AND MARTYRS for every day of the year. Compiled by William Canon Fleming, Rector of St. Mary's, Moorfields. London: Sands & Co. 1902. Pp. 120.

MARTIN LUTHER. Von Julius Köstlin, Prof. Univ. Halle. Fünfte Auflage, fortgesetzt von Gustav Kawerau, Prof. Univ. Breslau. Berlin und New York: Alexander Duncker. 1902. Pp. 80.

BELLES-LETTRES.

A MARTYR OF THE VALLEY, AND OTHER POEMS. By P. J. Coleman. New York: The Messenger Press. Pp. 132. Price, $1.

FIVE OF DIAMONDS. By Mrs. Guthrie. Philadelphia: H. L. Kilner & Co. 1902. 12mo. Pp. 456. Price, retail, $1; *net* $0.50.

DEUTSCHE WEISEN AUS AMERIKA. Ein Buch von Liedern und Geschichten. Von Georg Schoener. Mit Porträt. Pittsburg. 1895. Pp. 192.

IRISH MIST AND SUNSHINE. Ballads and Lyrics by Rev. James B. Dollard (Sliav-na-mon). With an Introduction by William O'Brien, M.P. Boston, Mass.: Charles E. Peabody Co. (Toronto, Canada: W. E. Blake.) 1902. Pp. 143.

SHADOWS OF AN IDEAL. By Emily R. Logue. Philadelphia, Pa.: Peter Reilly. 1902. Price, $0.40.

FATHER TOM OF CONNEMARA. By Elizabeth O'Reilly Neville. Illustrated. Chicago and New York: Rand, McNally & Co. 1902. Pp. 394. Price, $1.50.

MISCELLANEOUS.

CONSTRUCTIVE AND PREVENTIVE PHILANTHROPY. By Joseph Lee, Vice-President of the Massachusetts Civic League. With Introduction by Jacob A. Riis. New York: The Macmillan Company. London: Macmillan & Co. 1902. Pp. 242.

THE SATIRE OF SENECA ON THE APOTHEOSIS OF CLAUDIUS. Commonly called ΑΠΟΚΟΛΟΚΥΝΤΩΣΙΣ. A study by Allan Perley Ball. New York: The Columbia University Press. The Macmillan Company, Agents. 1902. Pp. vii—526. Price, $1.25 *net*.

EASY AND NATURAL METHOD OF SIGHT SINGING. For Self-Instruction and Class Use. By W. P. Schilling, Organist and Choir Master of St. Peter's Cathedral, Scranton, Pa. Published by W. P. Schilling, Scranton, Pa. Pp. 76.

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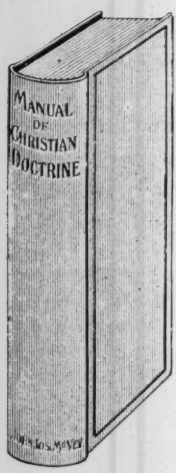

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The article by the Very Rev. Thomas C. Middleton, D.D., O.S.A., in last month's issue, on the REPORTS of the PHILIPPINE COMMISSIONS under Dr. Schurman (1899) and Judge Taft (1900), is now ready in pamphlet form. A sufficient number of copies has been set aside for our subscribers, who may secure a copy by sending in their names and a two-cent stamp for postage.

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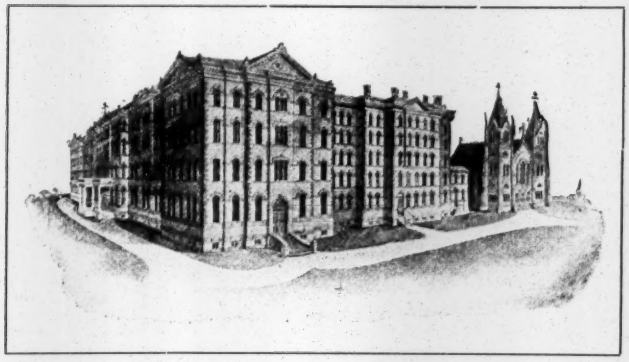

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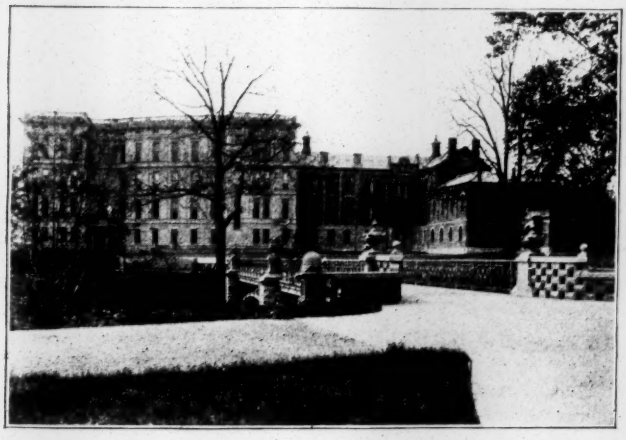

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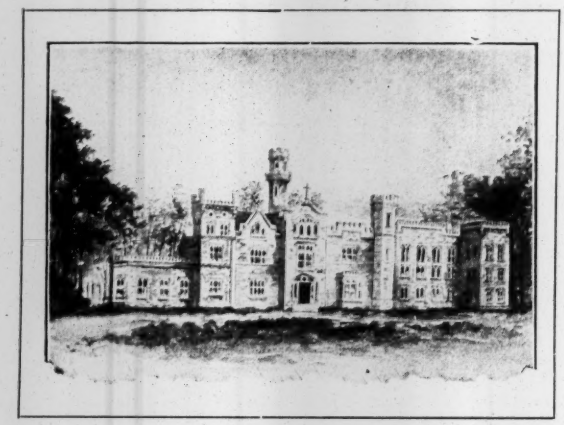

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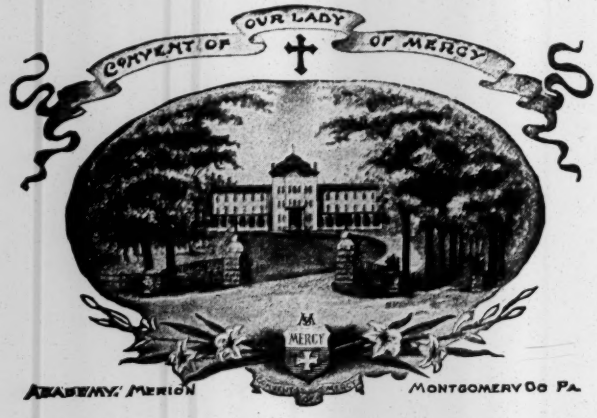

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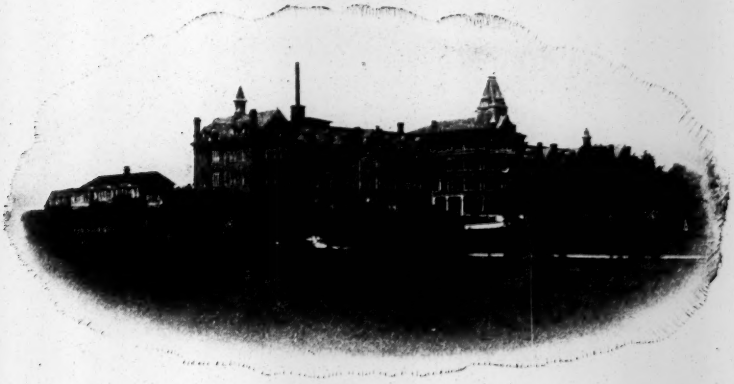

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THE ECCLESIASTICAL REVIEW

THIRD SERIES—VOL. VIII.—(XXVIII).—APRIL, 1903.—NO. 4

VOTIVE MASSES.

PART I.

SOLEMN AND PRIVATE.

1.—A *Votive Mass*, in the strict and proper meaning of the word, is that which is not prescribed by the rubrics, and does not correspond with the Office recited by the celebrant on any individual day according to the *Ordo* or *Kalendarium* which he follows.[1] Hence Masses which are celebrated in conformity with the *Officia Votiva per Annum*, granted by Apostolic Indult, July 5, 1883,[2] or the Mass in honor of the Blessed Virgin, prescribed by the rubrics on Saturdays of Advent,[3] and the Masses of Ferials and Vigils occurring within octaves, which must be celebrated in Cathedral and Collegiate Churches besides the prescribed Mass of the feast,[4] are not, strictly speaking, *Votive Masses*.

2.—Votive Masses are divided—

A. On account of their intrinsic solemnity (*ratione solemnitatis intrinsecae*) into:

I. Solemn Masses;
II. Private Masses;
III. Privileged Masses.

B. On account of the subject (*ratione objecti*) into:

[1] According to this definition *Requiem* Masses are also votive, but since they are governed by special rules (See THE ECCLESIASTICAL REVIEW, November, 1902) they are here excluded.

[2] S.R.C. Urbis et Orbis, 3581.

[3] Rubr. Gen. Miss. Rom., Tit. iv, 2.

[4] Schober, *S. Alphonsi Liber de Caerem. Missae*, App. iii, n. 2.